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The situation in Afghanistan

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The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General

I. Introduction and overview

1. The present report is submitted pursuant to General Assembly resolution 63/18 and Security Council resolution 1868 (2009), in which the Council extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) and requested a report on developments in Afghanistan every three months. The present report reviews the situation in Afghanistan and the activities of UNAMA since my previous report, of 28 December 2009 (A/64/613-S/2009/674). During the reporting period, on 6 January 2010, I briefed the Security Council on Afghanistan.

2. The key developments in Afghanistan over the past three months, as described in the present report, include the certification of provincial council elections, the holding of the International Conference on Afghanistan in London on 28 January, the evolution of the security situation, and economic development in the country. The report also provides updates on counter-narcotics, human rights and humanitarian issues. Its structure follows as closely as possible the benchmarks identified in my report of 22 September 2009 (A/64/364-S/2009/475) and provides context for the summary assessment of indicators of progress for each benchmark set out in the annex. Finally, the present report recommends the renewal of the mandate of UNAMA, together with some adjustments, given the developments over the past year.

3. The year ahead will be shaped by the agreements reached at the London Conference on Afghanistan. The Conference, hosted by the Government of the United Kingdom of Great Britain and Northern Ireland and co-chaired by the Government of Afghanistan, the United Kingdom and the United Nations, saw the renewal of the mutual commitment of the Government of Afghanistan and the international community to the implementation of a reform-oriented nation-building agenda, on the basis of President Karzai's 19 November 2009 inaugural speech. The

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78 participating nations and institutions agreed to begin a new phase in the partnership between the Government and the international community, premised on a transition to greater Afghan leadership and responsibility. In this new "transition" phase, the Government will increasingly exercise sovereignty over its own security and development, with the international community playing a supporting role. The outcome document of the London Conference identified steps towards greater Afghan leadership in areas ranging from security to economic development and from governance to regional cooperation. The Conference also generated a consensus regarding an Afghan-led reconciliation and reintegration approach to those anti-Government elements willing to renounce violence and to respect the Afghan Constitution.

4. The London Conference set the agenda for an additional conference to be held in Kabul in spring 2010. It will be the first high-level meeting hosted by the Government of Afghanistan, which has pledged to present concrete programmes to the conference.

II. Governance and institution-building

5. Following President Karzai's inauguration speech, in which he set out a reformist, State-building agenda (see A/64/613-S/2009/674, para. 13), his immediate task was the formation of a Government. On 19 December, he formally presented a list of Cabinet nominees, including one woman, to the Wolesi Jirga, the lower house of parliament. After holding hearings on 2 January, parliament endorsed only seven nominees, all of whom were men, including five sitting ministers: those for Finance, Agriculture, the Interior, Defence and Education. The President then requested the Wolesi Jirga to remain in session and to postpone its winter adjournment while he prepared a new submission. A list of 17 ministerial candidates, 3 of whom were women, was presented on 9 January. One week later, the Wolesi Jirga confirmed seven of those candidates, including one woman, and adjourned until 20 February.

6. The provincial council election results for all 34 provinces were certified by the Independent Election Commission between 12 November and 26 December 2009. Four hundred and eighteen provincial council members were elected to 420 seats. In total, 122 women were elected. Two seats reserved for women remained empty, owing to the lack of female candidates in Kandahar and Uruzgan. One member of the Meshrano Jirga, the upper house of parliament, was then elected from each provincial council.

7. In early January, the Independent Election Commission announced 22 May 2010 as the date for parliamentary (Wolesi Jirga) elections. While this was understood to be the latest date on which elections could be held in accordance with the Constitution, the Government of Afghanistan and the international community shared the concern that a May election would leave insufficient time for preparation and for needed electoral reforms. On 23 January, the President convened a meeting for the discussion of the 2010 election date, which was attended by a variety of national and international stakeholders, including my Special Representative. The following day, the Commission announced that the elections would be postponed until 18 September 2010. That decision was taken in accordance with article 55 of the electoral law, which, inter alia, allows the postponement of elections for security, financial and logistical reasons.

8. While the new election date still does not allow sufficient time for fundamental reforms that could substantially address flaws in the electoral process, it provides an opportunity to put in place a number of measures that have been called for within and outside Afghanistan in order to strengthen the credibility of the polls. Those measures should include the appointments of members of the Independent Election Commission and its secretariat in such a way as to ensure its independence, impartiality, and credibility; the appointment of a new Electoral Complaints Commission, including international members, in a broadly consultative manner in order to ensure trust in the institution across the political spectrum; measures to safeguard the authority and independence of the Electoral Complaints Commission; the involvement of the international community in the vetting process aimed at ensuring that candidates are not in violation of the electoral law; and remedial action against those involved in fraud in the 2009 elections. In that regard, I welcome the commitment undertaken by President Karzai at the London Conference to guaranteeing the integrity of the electoral process and preventing irregularities and misconduct, as well as the decision by the Independent Election Commission, announced on 4 February, not to rehire some 6,000 persons who worked at polling stations where significant fraud was committed in 2009. My Special Representative has been engaged in a dialogue with President Karzai and other relevant Afghan authorities concerning those measures. I note, however, that on 20 February President Karzai informed parliament that he had issued a decree dated 17 February modifying the electoral law. Among other changes, the decree provides that the Electoral Complaints Commission will now be established by the President in consultation with the heads of the Wolesi Jirga, the Meshrano Jirga and the Supreme Court. Previously, members of the Commission were appointed by the Afghan Independent Human Rights Commission, the Supreme Court and UNAMA. It is important that decisions regarding the electoral process be made within the framework of the broadest possible consultations across the political spectrum, including with the opposition and civil society, in order to ensure the independence and credibility of the electoral process.

9. Corruption within the Government remains among the concerns most frequently cited by both private citizens and Government officials, and is a primary impediment to the entrenchment of effective institutions. A report issued in January by the United Nations Office on Drugs and Crime states that corruption ranks even higher than security as a concern among Afghans. President Karzai focused on this issue in his inaugural speech, and the participants in the London Conference agreed on several mechanisms for reducing corruption or addressing it when it occurs. An anti-corruption unit has been established in the Office of the Attorney-General, and the Supreme Court has appointed judges to an anti-corruption tribunal. Those judges are being subjected to vetting procedures, while preparations are being made for the tribunal's facilities in Kabul. One defendant is already in detention awaiting trial by the tribunal. Regional anti-corruption courts are also operational. Nevertheless, the scale of the problem is such that it requires sustained and systematic efforts on the part of both the Government and its international partners to reduce the corrosive effects of corruption. Such efforts must begin with the implementation of the London commitments as a matter of priority.

10. The need for specific ad hoc anti-corruption measures must not divert attention from longer-term institution-building within the justice sector. The formal justice system remains beyond the reach of many Afghans. Concerns about the corruption

of judges, inefficiency and high costs lead many citizens to resort to traditional methods of dispute resolution. The participants in the London Conference recommitted themselves to the reforms called for in the National Justice Programme. At the same time, a draft policy was recently completed on the integration of the formal and traditional systems, under the auspices of the Ministry of Justice. Should the policy be adopted, as encouraged by the Conference participants, and be implemented in such a way as to guarantee the exercise of fundamental constitutional rights, it would improve the provision of justice to Afghans, as well as the confidence of Afghans in the ability of their Government to guarantee the rule of law.

11. To improve subnational governance, the Performance-Based Governors' Fund was launched in January 2010 by the Independent Directorate of Local Governance. The Fund allocates $25,000 per month to each provincial governor, providing operational funds to increase their effectiveness. A lack of sufficient operational funds has inhibited the work of governors and has made it difficult to attract qualified and competent civil servants for work in the provinces. Further improvements in subnational governance are expected as a result of the long-awaited Subnational Governance Policy and the development, before the Kabul conference, of a coherent framework for priority programmes to allow for the nationwide and systematic strengthening of local governance structures and service delivery.

12. At the London Conference, President Karzai outlined a peace and reintegration programme aimed at promoting peace through dialogue. The programme has two objectives to be pursued in parallel: to encourage rank-and-file Taliban members and their mid-level commanders to put an end to violence and join a constructive process of reintegration in order to benefit from an opportunity for peace, sustained governance and economic development; and to prepare the ground for a peace dialogue at the strategic level with the leadership of the Taliban-led insurgency.

13. The success of any reconciliation process will depend on broad national support. Within Afghanistan, there is the concern that such a process could lead to an erosion of fundamental human rights that have been established in recent years. In order to muster national support for his programme, President Karzai plans to convene a Loya Jirga in spring 2010 that will include tribal and community leaders from across the country, especially those who have felt marginalized by the Bonn process. The President has also invited other countries in the region to support peace initiatives and has requested the King of Saudi Arabia to assist in establishing some dialogue with the Taliban leadership.

14. The President's programme envisages the creation of a national peace council that will oversee the reintegration of armed opposition fighters, as well as the establishment of a donor-funded peace and reintegration trust fund to provide employment and financial incentives for those who renounce violence. At the London Conference, more than $140 million was pledged to the fund. The total cost of the reintegration programme is now estimated at $500 million. The programme has not yet been complemented by a political process. The recent decision of the Security Council to remove five former Taliban officials from the list established pursuant to its resolution 1267 (1999) was welcomed in Afghanistan as a confidence-building measure that could help to lay the foundations for an eventual

political process. Further confidence-building measures on the part of all sides would be useful.

15. On 26 January 2010, the President of Turkey hosted a regional summit in Istanbul for Afghanistan and its neighbours. Its outcome document, the Istanbul Statement on Friendship and Cooperation in the "Heart of the Asia", stressed that a safe, secure, stable and prosperous Afghanistan is a "vital element of regional peace and stability". The participating States reaffirmed their continued support for the political transition and economic development of Afghanistan. The regional summit was preceded by a meeting of the Presidents of Afghanistan, Pakistan and Turkey, held in Istanbul on 24 and 25 January within the framework of the Trilateral Summit process launched in Ankara in April 2007. The three heads of State emphasized the need to enhance regional capacity to respond to the threat of terrorism and reaffirmed earlier commitments to continuing the cooperation among the military and intelligence institutions of the three Governments.

III. Economic and social development

16. The efforts made over the past year to place priority on the objectives set out in the Afghanistan National Development Strategy and to streamline its implementation have begun to bear fruit. The Government intends to restructure itself in order to accelerate the implementation of the Strategy and focus on economic growth. Thirteen key ministries related to the Strategy will be organized into three cross-cutting clusters: agriculture and rural development, human resource development, and infrastructure and economic development. Participants in the London Conference also agreed that a fourth cluster, on governance, should be established. Each cluster is to be led by a lead minister, who will have the responsibility and the authority to coordinate and direct the activities of the supporting ministries. The cluster leads will present concrete plans at the Kabul conference. The Ministry of Finance will provide support and oversight to all clusters.

17. The implementation of the cluster approach to economic growth will, it is hoped, lead to improvement in the governmental coordination of development programmes. In order to reinforce this new approach, UNAMA, utilizing the increased capacity within its Donor Coordination and Aid Effectiveness Unit, will adapt its activities in order to provide effective support across the clusters. This will assist in the transition to Afghan leadership; rather than acting as the overall coordinator of international assistance, the Mission will increasingly position itself so as to enable the Government to become the main coordinator of such assistance as it pursues its own development strategy.

18. Increasing the percentage of international aid aligned behind the priorities of the Strategy and provided through the Government of Afghanistan continues to be a priority. Because many donors still do not provide information about their activities to the Government, it is impossible to determine whether there has been an increase in aid aligned behind the Strategy. According to the donor financial review conducted by the Ministry of Finance and published in November 2009, of the 34 top donors to Afghanistan, only 15 provided complete data to the Government. The review also noted that over the past seven years, approximately 80 per cent of the assistance provided had bypassed the Government and had not been closely

aligned with Government priorities. More recently, there had been a marginal increase in donor alignment and increased contributions to the Afghanistan Reconstruction Trust Fund as a result of intense coordination efforts. The Government urged the international community to increase contributions made through the Afghan budget to 50 per cent of its total contributions to the country over the next two years. The participants in the London Conference "supported the ambition" of that goal, but did not explicitly commit themselves to it.

19. Furthermore, UNAMA pressed for more equitable distribution of development aid and Government expenditure across the 34 provinces of Afghanistan. The Government's development assistance database provides the platform for the geographical tracking of assistance delivery. Unfortunately, the quality of the information available in the database remains inadequate. Given the critical importance of monitoring aid distribution, the Government has sought to improve the database with a view to better tracking of assistance data at the provincial level. However, information that has been provided continues to indicate that the bulk of development assistance remains targeted at areas in the southern and eastern parts of the country, while other areas remain underserved.

20. Revenue collection and sustainable growth based on Afghan resources have seen substantial improvement. During the second half of 2009, the Government increased its collection of revenue by an estimated 65 per cent. According to the International Monetary Fund (IMF), economic activity expanded by 15 per cent in 2009, supported by a recovery in agriculture, increased donor inflows and improved economic policy. During the same period, inflation dropped and the currency remained stable. Real annual gross domestic product has increased by an average of 7 per cent. Partly fuelling that growth has been an increase in the percentage of goods and services procured locally by international actors. UNAMA, together with the international non-governmental organization Peace Dividend Trust, launched a campaign in June 2009 to encourage the international community to increase its local procurement by at least 10 per cent. A comparison of available data for the period from June 2009 to January 2010 with those for June 2008 to January 2009 indicates a 61 per cent increase in the amount of local procurement reported by international actors.

21. In addition, Afghanistan enjoyed increased foreign direct investment during the second half of 2009. According to IMF, foreign direct investment has increased at a relatively steady rate of approximately 2 to 3 per cent per year since 2006/07, peaking at nearly $300 million in 2008/09. However, it is projected that the rate will drop in 2009/10 to between 1 and 2 per cent.

22. Development at the subnational level is difficult to determine, given the lack of relevant information. Assessments of the alignment of the development activities carried out by subnational actors have not been conducted by the Government, owing to capacity constraints within the Ministry of the Economy. Available information suggests that, despite efforts by the Ministry of Finance, provincial development plans are not reflected in the central Government budget and funds are not allocated to the provinces, owing to a lack of resources and the weakness of institutional delivery mechanisms. The Performance-Based Governors' Fund, noted above, was established in order to partially compensate for those weaknesses in the short term.

IV. Security

23. The deterioration of Afghanistan's security situation has continued, with 2009 being the most volatile year since the fall of the Taliban in 2001, averaging 960 security incidents per month, as compared with 741 in 2008. The situation worsened in January 2010, with the number of security incidents 40 per cent higher than in January 2009. That increase was the result of a combination of factors, including an increased number of international military troops and mild weather conditions in several parts of the country. The majority of incidents involved armed clashes and improvised explosive devices; suicide attacks decreased significantly during the last three months of 2009, mainly as a result of reinforced security arrangements in major cities and ongoing security operations. There was an average of 1.6 suicide attacks per week, as compared with the average of 3 per week that had been occurring since early 2007; there were only 5 suicide attacks throughout the country in December 2009. Such attacks usually have an indiscriminate impact on the civilian population.

24. The fourth quarter of 2009 saw a decrease in the number of recorded civilian casualties as compared with the same period in 2008. However, the number of civilian casualties recorded in December 2009 increased by more than 50 per cent as compared with December 2008. Overall, the intensification of the armed conflict in the south, and its expansion into areas previously considered stable, made 2009 the worst year for civilian fatalities since the fall of the Taliban regime in 2001. A total of 2,412 civilian deaths were recorded, representing a 14 per cent increase over the previous year. Of those deaths, 1,630 (67 per cent) were attributed to anti-Government elements and 596 (25 per cent) to pro-Government forces. The remaining 186 (8 per cent) could not be attributed to either party to the conflict. Measures taken by international forces to reduce civilian casualties, in particular a tactical directive issued in July 2009 to limit the use of force in populated areas, contributed to a 28 per cent reduction in the total number of recorded civilian deaths attributed to pro-Government forces in 2009 as compared with 2008. The use of air strikes and the proximity of military facilities to civilian areas, however, continued to increase the dangers faced by civilians. Notwithstanding a Taliban code of conduct, which was also issued in July 2009 to prevent civilian casualties, civilian deaths attributed to anti-Government elements rose by 41 per cent as compared with 2008.

25. There was an average of seven assassinations and the same number of abductions every week during the reporting period. Abductions and assassinations of community leaders and clerics not only discourage the population from cooperating with the Government, but also undermine the protection provided to aid workers by local communities. The number of attacks against the aid community remained consistent, with abductions of national staff increasing, while attacks on convoys and facilities decreased. The freedom of movement of unarmed civil servants has suffered as a result of intensified fighting and increased campaigns of intimidation and assassination. In comparison with December 2008, access for civil servants decreased in 39 districts (out of a total of 364), with 30 per cent of districts only partly accessible to unarmed Government officials. Direct attacks against the aid community have limited the accessibility of development programmes in 94 districts considered very high risk and 81 districts assessed as high risk.

26. Mines and explosive remnants of war continued to have a severe impact on the lives and the livelihoods of millions of Afghans. Afghanistan remains one of the countries most contaminated by landmines and explosive remnants of war in the world, with more than 2,150 communities directly affected and an average of 42 people killed or injured every month, a large majority of whom are children. In addition to causing loss of life and serious injury, mine contamination has prevented livelihood activities, including by blocking access to agricultural land, water, health and education.

27. During the second half of 2009, the Afghan National Security Forces, alongside their international military counterparts, conducted operations throughout Herat and Farah provinces in the west, avoiding civilian casualties and giving rise to a wave of candidates for reconciliation and reintegration. Since then, the situation has grown increasingly stable in both provinces, although the Taliban have been able to maintain high levels of violence in Badghis. Ghor has remained stable. Similar operations carried out in Kunar, Laghman and Nangarhar provinces, in the east, were equally successful, but Government accessibility remains tenuous and mostly limited to district centres. The local interlocutors of UNAMA in the provinces of Takhar and Badakhshan have reported that local populations are satisfied with the current level of security.

28. In February 2010, the Afghan army and the International Security Assistance Force (ISAF) launched an offensive involving 15,000 troops against a Taliban stronghold in Helmand. The operation, which focused on Marjah, in the centre of a significant opium-growing region, is to be followed by a major governance effort.

29. Public attitudes towards the police and the army are generally unchanged. The Mission's Afghan interlocutors continue to complain that the Afghan National Police are involved in smuggling, kidnapping, and extortion at checkpoints. Recruitment practices within provincial and district police hierarchies have resulted in ethnic and tribal imbalances among recruits, exacerbating tensions with local communities. At the same time, a survey conducted in 2009 by the United Nations Development Programme (UNDP) found that 82 per cent of respondents throughout Afghanistan believed that the police in their areas were doing a very good or fairly good job.

30. The Afghan National Army is generally viewed positively, owing to its more effective training, its higher degree of internal discipline and its better equipment. As a result, some have proposed an enhanced role for the army in providing local security. There is, however, a risk posed by increased use of the army for functions normally performed by the police. The development of the National Security Strategy, to be completed before the Kabul conference, should clarify the roles and responsibilities of the Afghan National Army and the Afghan National Police.

31. In order to meet President Karzai's stated objective of ensuring that the Afghan National Security Forces assumes full responsibility for security within five years, the ministries of Defence and the Interior initiated efforts to raise the numbers of army and police personnel from their current levels of approximately 104,300 and 96,800, respectively, to 134,000 and 109,000 by October 2010, and to 171,600 and 134,000 by October 2011. Those increased growth targets were agreed to by the Joint Coordination and Monitoring Board at its meeting held on 20 January and subsequently endorsed at the London Conference. Although the Afghan National Army is now slightly behind with regard to its desired growth plan, it is anticipated

that recent recruiting success and new pay raises aimed at improving retention will soon place army growth back on track. The focused district development programme, aimed at improving police performance at the district level, has covered 80 districts thus far. A new programme, called focused border development, has also been initiated to improve the quality of the border police.

32. Furthermore, the participants in the London Conference agreed to develop a plan for a phased, province-by-province transition to Afghan-led security starting by late in 2010 or early in 2011, provided that necessary conditions are met. A significant increase in the number of international forces to support the training of Afghan forces was also confirmed. For the army, 21 teams of 20 to 30 trainers are required, with 119 such teams required for the police. In addition, approximately 1,300 institutional trainers are required for such capacities as officer training, Staff College, weapons training and the counter-insurgency academy.

33. During the 20 January meeting of the Joint Coordination and Monitoring Board, the Minister of the Interior presented an Afghan National Police strategy for approval. The strategy identifies specific threat areas and priorities, and divides the police force into six pillars: (a) civilian police; (b) gendarmerie; (c) border police; (d) anti-crime police; (e) a public protection force; and (f) enablers (i.e., administrative and institutional support mechanisms). This plan, once endorsed, will finally resolve long-standing differences within the international community over the structure of the Afghan National Police, and, in particular, over whether it should lean more towards a gendarmerie or towards a civilian police force. A lack of agreement over the past several years regarding this issue has stalled police reform and given rise to contradictory approaches on the part of major donors. In that context, it is essential that UNAMA maintain and expand its police advisory presence in all eight regional offices to provide liaison, monitoring and advice on police and security-related issues.

34. Significant improvements have been achieved in tracking the actual number of police serving in the Afghan National Police. A new personnel asset inventory programme is being jointly implemented by the Ministry of the Interior and ISAF police training components. Nearly 50 per cent of the total force has been covered, including those serving in the most volatile districts and provinces. In January 2010, 94 per cent of all police were covered by the electronic payroll system and 73 per cent were covered by the electronic fund transfer system. Both systems reduce opportunities for corruption in the payment of police salaries. In order to further facilitate salary payment to police serving in high-risk areas, a new programme allowing for transfer by means of mobile phones has been introduced.

V. Human rights

35. With respect to conflict-related detention, a memorandum of understanding between the Government of Afghanistan and the United States Department of Defence, signed in January 2010, envisages the transfer of responsibility for detainees held at the Bagram Theatre Internment Facility to the relevant Afghan authorities in 2012 for investigation, eventual prosecution and trial. It will be important that such detainees be treated humanely and be afforded guarantees of fair trial.

36. The fight against impunity was challenged with the publication of the law on public amnesty and national stability. The law was gazetted at the end of November 2008 but not publicized until recently. It grants amnesty to perpetrators of past serious crimes, including grave human rights abuses, in violation of the obligations of Afghanistan under its Constitution and international law.

37. The fact that well-known alleged human rights perpetrators and individuals linked to illegal armed groups were able to stand for election to public office was a factor undermining the election process in 2009. A comprehensive vetting plan that accurately identifies and disqualifies candidates, and measures aimed at increased participation on the part of women and minorities, both as candidates and as voters, and increased space for freedom of expression need to be put in place to help create an environment conducive to free and fair parliamentary elections in September 2010.

38. Closely linked to impunity and the abuse of power are attacks on freedom of expression, carried out by both State and non-State actors. According to a local media organization, there were 83 incidents of violence against media personnel in 2009, including 3 journalists killed, 42 imprisoned, 21 physically assaulted and 13 intimidated by insurgents or Government officials. There is the concern that provisions restricting media content in the media law, which entered into force in July 2009, could leave scope for violations and abuse. Similar wording in the previous media law often resulted in the arrest and intimidation of journalists who had criticized the Government or exposed corruption. Also of concern is the inclusion of criminal defamation, which is not a justifiable restriction on freedom of expression under international law.

39. A task force that includes UNAMA, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees (UNHCR), the United Nations Office on Drugs and Crime, the World Health Organization, the Afghan Independent Human Rights Commission and a representative of international non-governmental organizations monitors and reports on the situation of children in armed conflict. The task force recorded nearly 180 incidents of conflict-related violations of children's rights, in which at least 120 children were killed or injured. Attacks on schools and hospitals remain a grave concern, with 47 such incidents reported. Although the Government of Afghanistan has ratified the Rome Statute of the International Criminal Court, the harmonization of national legislation has not yet taken place. No progress has been made in criminalizing child recruitments in accordance with international standards.

VI. Counter-narcotics

40. The Opium Winter Rapid Assessment Survey, issued by the United Nations Office on Drugs and Crime on 10 February 2010, based on a survey of farmers' intentions at planting time, predicts that opium cultivation levels will be similar to those in 2009. Eight additional provinces (Baghlan, Faryab, Sari Pul, Badakhshan, Kabul, Kunar, Laghman and Nangarhar) may become poppy-free in 2010, provided targeted assistance is delivered in the immediate term. Opium cultivation in Afghanistan has declined by 36 per cent over the past two years, owing in large part to market forces that have made the cultivation of licit crops more attractive. Prices

for licit crops have begun to fall, however, raising the possibility that farmers may again turn to opium. If the decline in production over the past two years is to be consolidated, increased agricultural assistance and better governance at the subnational level are required.

41. Three joint operations among Afghanistan, Iran (Islamic Republic of) and Pakistan were successfully carried out as part of the triangular initiative of the Rainbow Strategy, which was also implemented by the United Nations Office on Drugs and Crime. During those three operations, 40 traffickers were arrested and 948 kilograms of opium, 351 kilograms of heroin and 483 kilograms of hashish were seized. The three countries agreed to appoint permanent liaison officers to the joint planning cell in Tehran and to establish a border liaison office on each border. Also under the Rainbow Strategy, Operation TARCET (Targeted Anti-trafficking Regional Communication, Expertise and Training) successfully completed its cross-border intervention regarding precursor chemicals, with the involvement of all eight participant countries: Afghanistan, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkmenistan and Uzbekistan.

VII. Humanitarian situation

42. The number of internally displaced Afghans is estimated at 296,000. Conflict-induced displacement continues to occur, especially in the southern and western regions of the country, with a substantial number of families displaced as a direct consequence of the hostilities. The recent military operations conducted in Marjah and Nad Ali, in southern Helmand Province, have caused the displacement of more than 1,500 households. There have been smaller-scale displacements in Zabol, Badghis, Farah and Ghor provinces. Many internally displaced persons remain unaccounted for as a result of the scattered nature of their displacement and lack of humanitarian access.

43. Humanitarian response continued to be impaired by lack of access and increasing movement and operational restrictions owing to the deteriorating security environment. In some areas, ongoing military operations have completely cut off access to populations. This has prevented both the verification of reported displacements and the delivery of assistance to those in need. The United Nations Office for the Coordination of Humanitarian Affairs has continued to advocate for full compliance with the established international and Afghan-specific humanitarian civilian-military guidelines, in particular calling for the military to limit its role by providing humanitarian assistance only as a last resort, when civilian actors are unable to provide it.

44. Although the winter has been mild, humanitarian agencies had developed winter-preparedness plans as part of each regional humanitarian contingency plan. The World Food Programme (WFP) pre-positioned to remote areas some 28,760 metric tons of food to support 803,715 beneficiaries. This was complemented by non-food items distributed by UNHCR to more than 200,000 vulnerable displaced persons. In 2009, WFP fed a total of approximately 9 million vulnerable Afghans. This included the provision of 51,370 metric tons of food assistance to nearly 1.4 million Afghans, including 325,400 people affected by localized emergencies such as the spring floods. In close cooperation with UNHCR, it also assisted 118,800 internally displaced persons and 43,600 returnees.

45. The new, more focused Humanitarian Action Plan for 2010 was launched in January. Although the Plan has yet to receive funding this year, it was well noted at the London Conference, and efforts are ongoing to engage a wide spectrum of donors active in Afghanistan.

VIII. Mission support

46. In order to meet the objectives outlined in my previous report to the Security Council (A/46/613-S/2009/674), the General Assembly approved a 33 per cent increase in the 2010 budget of UNAMA as compared with the final allotment for 2009. This includes increasing the number of international staff by 138, the number of national professionals by 77, the number of national support staff by 495 and the number of United Nations Volunteers by 22. The 2010 budget provides for the opening of four new provincial offices, in Jawzjan, Takhar, Panjsher and either Paktika or Laghman depending on the security situation. Two provincial offices were opened in 2009, in Sari Pul and Tirin Kot. The Farah office is operational but awaiting its formal opening. The Jawzjan and Takhar offices are also operational; however, the scheduled formal opening ceremony had to be postponed as a result of inclement weather. Owing to the security risks, the Mission has not yet been able to open offices in Ghazni or Helmand. It continues to seek solutions with its partners in the area in order to ensure the opening of such offices in 2010. In provinces where the Mission has no field offices, it continues to be active through periodic visits. In addition to its liaison offices in Islamabad and Tehran, the Mission has assigned a staff member to the United Nations Regional Centre for Preventive Diplomacy for Central Asia, in Ashgabat, Turkmenistan, to promote contacts and dialogue in the wider region, in accordance with its mandate to "support regional cooperation to work towards a stable and prosperous Afghanistan".

47. The recruitment of staff remains a concern and a priority. The introduction of the reformed human resources policy resulted in a recruitment lag as the new system was put in place. Staff departures from the Mission were not matched by new recruitments. The 2010 budget provided for additional posts to be filled. As a result, the current vacancy rate has increased dramatically, to 42 per cent for international staff and 38 per cent for national staff. In order to address this, the Department of Field Support sent a recruitment team to UNAMA to assist with and help complete 60 to 70 international staff recruitment cases by the end of March. The Secretariat also approved the special delegation of recruitment authority to the Mission in order to accelerate the recruitment process.

48. All staff relocated to Dubai following the attack on the Bakhtar guest house had accommodation in Kabul by the first week in March, thanks to the availability of 30 additional housing units at the United Nations Operations Centre in Afghanistan. Another 50 units will be ready by the end of April for staff temporarily relocated within Afghanistan, as well as newly recruited staff. In the short term, recruitment is focusing on vacancies in the provincial and regional offices, which include protected residential units. A total of 100 more units in Kabul are planned by the end of the year, together with additional accommodations in the field.

IX. Mandate of UNAMA

49. In response to the deterioration of the security situation in the south and to the increased number of credible threats against the United Nations, I approved the declaration of Security Phase Four in the southern region from 19 February 2010, as suggested by my Special Representative and United Nations designated official for security, upon the recommendation of the United Nations security team in Afghanistan. UNAMA and other United Nations entities are working on additional risk mitigation measures to ensure a minimal presence in the southern region for vital emergency, humanitarian relief, security and any other operations deemed essential.

50. The mandate of UNAMA, which expires on 23 March 2010, should be renewed for an additional 12 months. The nine elements of the mandate, set out in paragraph 4 of Security Council resolution 1868 (2009), should continue to guide the Mission's work in Afghanistan. However, modifications to three of those elements should be considered.

51. First, the Mission's overall coordination mandate should take into account the increasing coordination role that the Government of Afghanistan itself is playing. UNAMA should, as co-Chair of the Joint Coordination Monitoring Board, continue to promote a more coherent approach on the part of the international community, as well as adherence to the principles of aid effectiveness, but it should also increasingly work to support the Government's own coordination capacity, mostly within the Ministry of Finance. The agreement, reached at the London Conference, to appoint a senior civilian representative to coordinate the civilian activities carried out by ISAF, in particular those of the provincial reconstruction teams, and the planned consolidation of the offices of the European Union and the European Commission under a single representative following the entry into force of the Lisbon Treaty, should improve the coordination of assistance provided under the auspices of those two organizations. The establishment within UNAMA of a dedicated group of senior advisers could improve the responsiveness of donor agencies, thus increasing the coordination of their efforts behind Government-led programmes.

52. Secondly, with regard to elections, should a request for electoral assistance be made by the Government of Afghanistan, and should the Security Council mandate it, UNAMA would be ready to provide, through the Independent Election Commission, overall political coordination of international support for elections, while technical assistance would be implemented through UNDP. The role of the United Nations will clearly be one of support for Afghan electoral institutions and capacity-building. The nature and the extent of that support will depend on reforms and corrective measures to propose the electoral process, as set out in paragraph 8, as well as on the level of the financial support provided by international donors and on the prevailing security environment, particularly in terms of the safety and security of United Nations staff. In case the United Nations may not be able to provide the same level of support as in 2009, including at the field level, partners will need to supplement areas not covered by the Organization. In addition, the United Nations is committed to continuing to assist the Government in working on future longer-term electoral reform.

53. Thirdly, the Mission's mandate in the area of reconciliation enables it to provide good offices to support the implementation of Afghan-led reconciliation programmes. President Karzai, in his inaugural address, clearly stated his intention to begin such a programme. The details should emerge as a result of the Loya Jirga to be held later this year. UNAMA can also play a role in advocating confidence-building measures that would enable the Government-led process to succeed. In addition, it can lend its good offices — in the region and more broadly — to those efforts on the basis of the consent of the parties concerned, although the nature of the task could initially require discretion and flexibility. Finally, the Mission should play a formal role in the management of the reintegration programme.

X. Observations

54. The next three months present a crowded agenda in Afghanistan. President Karzai intends to hold a peace jirga on reconciliation in April, I scheduled the Kabul conference for June, election preparations must begin, and the military surge will continue. Those events and processes must be managed in such a way as to ensure that they reinforce, rather than undermine, one another and that they do not take away political energy from previously established priorities.

55. If well managed, these events could form the structure of a transition to greater Afghan leadership. The focus of this transition is on making Afghan sovereignty real. There is no sovereignty without capacity and responsibility, and the purpose of the transition is to ensure that the Government of Afghanistan has both sufficient capacity and sufficient responsibility to exercise actual sovereignty. This process could be undermined if the international community were to bypass the Government. It is therefore essential that we promote a new mindset that shows greater respect for Afghans' own understanding of their country.

56. Achieving the transition to sovereignty will also require a balance between military and civilian efforts. While I have welcomed the additional international military forces, I must at the same time caution against a militarization of the overall effort in Afghanistan. As many civilian tasks as possible must be handed over to Afghan civilian institutions. The temptation to achieve short-term results from unsustainable projects aimed at meeting political deadlines in troop-contributing countries must be resisted. And the tendency to allocate the distribution of aid according to where donors' troops are most heavily focused — while understandable and, to a certain extent, justifiable — must begin to give way to a more coherent, nationally based assistance strategy that can provide the real economic growth needed to underpin a transition strategy.

57. The present report notes some improvements in the effectiveness of aid delivered. It is clear, however, that too little information about donor activities still reaches the Government, whether those activities are performed by military or civilian actors. There is a prevailing tendency to implement projects without sufficiently consulting Afghans or working through their institutions. In doing so, we miss opportunities to obtain their full support for projects carried out in their name and to gain the benefits of their own knowledge of their country. Making the transition to an Afghan lead requires the increased involvement of Afghans. Our deeds must match our words.

58. On the political front, the parliamentary elections scheduled for 18 September will no doubt be another challenge for Afghan institutions and will consume a great deal of political energy during the second half of the year. In many ways, those elections will be more complex than the presidential election in terms of their logistical and political aspects. If the electoral institutions of Afghanistan function in a transparent, impartial and independent manner that allows the votes of legitimate voters to be credibly cast and counted, then a crucial milestone for the consolidation of democracy will be passed. If not, the risks of instability that were latent in the 2009 presidential election, and avoided through statesmanship and the effective functioning of some key institutions, will increase.

59. As noted in the present report, a significant development over the past few months was the growing consensus that there is a need for a political process to end the conflict, as well as for the establishment of a programme to reintegrate into their communities low- and mid-level insurgents who wish to give up fighting. These are, all included, elements of a resolution to a conflict that needs to end. But they must be combined with improved governance and more efficient aid in order to regain the trust of disaffected populations. Above all, efforts to end the conflict must result in a strengthened political order underpinned by the Constitution.

60. Those who choose to reconcile must respect the achievements made since 2002 and accept the aspirations of the majority of Afghans to a peaceful and prosperous Afghanistan where each and every Afghan can enjoy his or her rights as enshrined in the Afghan Constitution.

61. I noted at the outset of these observations the heavy calendar for the months ahead. This is no less true for UNAMA itself. During the same period, UNAMA will see the arrival of a new Special Representative of the Secretary-General, Staffan de Mistura, as well as the renewal of the Mission's mandate. I would like to take this opportunity to express my gratitude to Special Representative Kai Eide, who, over the past two years, has helped to shape the agenda in Afghanistan, strengthened UNAMA and lived up to the words that he spoke when he first arrived: that he was there to serve the people. I would also like to thank the brave and dedicated men and women of UNAMA, who, every day they are in Afghanistan, make the ideals of the United Nations into a reality.

Annex

Benchmarks and indicators of progress

I. Governance and institution-building

Benchmark: extension of Government authority throughout the country through the establishment of democratic, legitimate, accountable institutions, down to the local level, with the capacity to implement policies and to be increasingly capable of sustaining themselves

Requirements for progress include political will and funding for the building of national and subnational institutions, including within the justice sector; commitment to combat corruption and enforce the rule of law; and the capacity of relevant Afghan institutions to organize elections.

Indicators of progress	*Assessments*
Holding credible national and subnational elections	• Presidential and provincial council elections were held and election results certified.
	• United Nations Assistance Mission in Afghanistan (UNAMA), national and international observers indicate that there were significant irregularities in the process.
	• Some voters, candidates and political parties expressed dissatisfaction with the process, including with regard to perceived interference by the international community.
Improvements in civil service capacity at the central, provincial and district levels	• Civil service training centres and/or training facilities providing a professional learning environment for Government employees exist in 32 of the 34 provinces.
	• In January and February across Afghanistan, 3,204 civil servants received formal training from the International Civil Service Commission supported by the international community.
	• The pay and grading reform process continues, with the positions of 4,000 civil servants and 41,000 teachers covered during the reporting period.
	• Seven additional Mission-supported capacity-building working groups were established, bringing the total to 31.
Decreasing corruption within Government institutions	• United Nations Office on Drugs and Crime survey on public opinion regarding corruption issued.
	• Afghanistan dropped in rank from 176th to 179th of the 180 countries on the Corruption Perceptions Index of Transparency International.

Indicators of progress	*Assessments*
	• During the reporting period, 15 of the 34 provinces have established provincially led initiatives to begin addressing corruption. UNAMA, where requested to do so, is providing technical and organizational support, including terms of reference, to ensure their functionality.
	• Terms of reference for a team of vetted and specialized anti-corruption prosecutors in the Office of the Attorney General were finalized. The team, with international advisory assistance, began to prosecute corruption cases in autumn 2009.
	• Late in 2009, the vetting of judges for a central anti-corruption tribunal began. The Supreme Court began appointing judges to serve in provincial anti-corruption courts.
Increase in State revenue collection (taxes and tariffs)	• The tax and tariff revenue collected from July through December 2009 is approximately 4 percent higher than that collected during the preceding period (January-June 2009), according to Ministry of Finance figures.
Establishment of credible judicial and penal systems that respect and uphold human rights, and a judicial system accessible to all citizens	• More than 540 judges and 87 prosecutors and defence lawyers have enrolled in intensive pre-professional-stage programmes. An additional 70 prosecutors are currently enrolled in an intensive in-service-stage training programme.
Provision of adequate infrastructure to enable the functioning of Government institutions, especially at the subnational level	• The Government, with international support, has constructed 169 district government offices, out of the 364 planned.
Improved public perception of the integrity and effectiveness of the formal justice system and reliance upon it	• Reports of corruption among the judiciary and prosecutorial services continue.
	• The Ministry of Justice began work on a national policy to guide the promotion of public legal awareness.
	• At the London Conference, the Government undertook to increase its efforts to implement the National Justice Programme in order to make the provision of justice more transparent, fair and accessible to all Afghans on an equal basis.

II. Security

Benchmark: development of a sustainable Afghan security structure that is capable of ensuring peace and stability and protecting the people of Afghanistan

Requirements for progress include an increase in the quality and quantity of Afghan National Police/Afghan National Army personnel and the gradual transfer of responsibility from international forces to Afghan national security forces; a sustained reconciliation process developed and led by the Government of Afghanistan; efforts to combat corruption within the Afghanistan security forces at the local and national levels; funding and expertise for mentoring and training.

Indicators of progress	*Assessments*
Increase in the number of police and army personnel mentored, trained and ope[illegible]al according to an agreed structure	• In January 2010, according to the payroll statemen the Law and Order Trust Fund for Afghanistan, 96 police (the full sanctioned strength) were on payr • An estimated 50 per cent of the members of the A National Police have received basic training. Foc district development training has been completed 80 districts. • In January 2010, the number of Afghan National troops was 100,131, compared with a target of 10 • All Afghan National Army *kandaks* are partnered international military forces, but "embedded partn has yet to be fully implemented in Regional Com North, Regional Command West and Regional Command Central of the International Security Assistance Force (ISAF).
Improved level of secure access by the Government, the international community and non-governmental orga[illegible]izations to districts across Afghanistan	• The level of access slightly decreased, especially areas of newly emerging conflict. In December 2 approximately 30 per cent of the districts were la inaccessible to unarmed civil servants.
Improvement in the public attitude towards the police and army and of public perceptions of the security situation	• A survey completed by the United Nations Devel Programme in October 2009 indicated that 82 pe of respondents believed that the Afghan National were doing a very good or fairly good job in con crimes. Unconfirmed reports to UNAMA field of are more negative, including complaints that the are involved in smuggling, kidnapping and extor

III. Economic and social development

Benchmark: Government policies backed by international support to promote sustainable economic growth that contributes to overall stability

Requirements for progress include the adoption and implementation of strategies by the Government of Afghanistan for the sustainable development of Afghanistan; alignment of donors behind Government-designed programmes; improved coordination and coherent support by the international community to the Government and adherence to the principles of aid effectiveness; and long-term commitment on the part of the donors.

Indicators of progress	*Assessments*
Well-designed national programmes, in particular in the priority areas of agriculture, capacity-building, higher/vocational education, private sector development and infrastructure	• National programmes have been developed in all priority areas. The Government launched a national strategy for higher education, aimed at doubling the number of university seats within five years, which is awaiting donor support. • With the Ministry of Education and donors, an Education Development Board was established as a platform for policy advice and donor coordination. • The national education strategic plan for 2010-2014, the national literacy action plan and the national higher education strategic plan for 2010-2014 were developed. • The National Agricultural Development Framework, designed by the Government, launched five priority initiatives: (a) the immediate purchase of wheat seed; (b) the leasing of land for agriculture; (c) the provision of access to credit; (d) improved management and reform of the Ministry of Agriculture, Irrigation and Livestock; and (e) the Comprehensive Agricultural and Rural Development Facility, aimed at reducing poppy cultivation in targeted districts. • A standard curriculum on five common functions, aimed at improving the capacities of Afghan civil servants, was designed by the Government and its implementation begun. • The Ministry of Commerce and Industry identified sectoral priorities and began to design programmes to increase productive investment in the economy, in coordination with UNAMA and donors.

Indicators of progress	*Assessments*
Increased percentage of aid aligned behind the Afghanistan National Development Strategy and Government priorities	• As there is no clear picture regarding the allocation of off-budget aid, the level of alignment behind the Strategy could not be determined. The Ministry of Finance reported marginal increases in donor alignment and urged the international community to increase the proportion of development aid delivered through the national budget to 50 per cent over the next two years.
	• Information contained in the ISAF Afghanistan country stability picture database is provided to the Ministry of Finance, but not integrated into the development assistance database. The Afghanistan country stability picture database will be replaced by a new system early in 2010.
More equitable distribution of development aid and Government expenditure throughout Afghanistan	• Donors have not provided sufficient information to make it possible to accurately assess the geographic distribution of aid throughout Afghanistan. The development assistance database has been upgraded to improve its ability to track such information.
	• Currently available donor information indicates that funding is being directed mainly to the southern and south-eastern provinces.
Increased revenue collection and sustainable growth based on Afghan resources	• According to the Ministry of Finance, the Government has increased revenue collection by more than 65 per cent over the past six months.
	• According to the International Monetary Fund (IMF), economic activity expanded by 15 per cent in 2009. Real growth in gross domestic product has continued and is projected to increase by an average of 7 per cent annually.
Increased percentage of goods and services procured locally by international actors	• Compared with the same period in the previous year, there was a 61 per cent increase in the amount of local procurement during the period June 2009 to January 2010, as reported by the international community.
Increased foreign direct investment	• According to IMF, foreign direct investment in Afghanistan has been increasing at a rate of approximately 2 to 3 per cent per year since 2006, peaking at $300 million in 2008/09. Projections for 2009/10 predict a decline to approximately 1 to 2 per cent.
Increased development at the subnational level	• Provincial development plans are not reflected in the central Government budget, and funds have not been allocated to the provinces, despite efforts by the Ministry of Finance.

Indicators of progress	*Assessments*
	• Owing to a lack of capacity within the Ministry of the Economy, the Government has been unable to assess the alignment of development activities carried out by subnational actors.
Decrease in the percentage of households living below the poverty line	• According to the National Risk and Vulnerability Assessment 2007/08, published in 2009 — the latest such report — 36 per cent of Afghans live below the national poverty line (approximately $14 per person, per month). This represents a 6 per cent decrease as compared with the previous survey, which recorded 2005 figures and was published in 2007.

IV. Human rights

Benchmark: improved respect for the human rights of Afghans, in line with the Afghan Constitution and international law, with particular emphasis on the protection of civilians, the situation of women and girls, freedom of expression and accountability based on the rule of law

Requirements for progress include sustained willingness to adhere to international humanitarian and human rights law; an independent and effective police, judicial and penal system across the country; adherence by the central Government and subnational governments to Afghan legal and constitutional norms; and appropriate allocation of funds for training, capacity-building and infrastructure, and for civil society.

Indicators of progress	*Assessments*
Reduction in the number of incidents of unlawful use of force and in related intimidation involving civilians, and mitigation of the impact of the armed conflict on civilians, through compliance by relevant actors with international law	• The year 2009 witnessed the highest number of civilian fatalities since 2001: 2,412 civilians were killed, a 14 per cent increase over 2008. Of those deaths, 1,630 (67 per cent) were attributed to anti-Government elements and 596 to pro-Government forces. The remaining 186 could not be attributed.
	• Measures taken by international military forces to reduce the impact of its operations on civilians contributed to a 28 per cent reduction in the total number of recorded civilian deaths attributed to pro-Government forces in 2009.
	• Monitoring and advocacy raised awareness of the need for parties to the conflict to respect international human rights and international humanitarian law, and influenced policies aimed at reducing the number of civilian casualties. The relationship with the ISAF civilian casualty tracking cell was strengthened.

Indicators of progress	Assessment
Improved awareness by Afghans of their rights and by the Government of its obligations	• Awareness concerning discrimination against women, transitional justice and the right to political participation was being promoted through concerted efforts to strengthen the advocacy skills of Afghan partners. • The debate on the Shia law helped to further raise awareness regarding women's rights. • Three public reports related to the elections monitoring exercise increased awareness of the need for free and fair elections.
Improved impact of, and support for, measures (including legal and policy reform) to combat violence against women and girls	• The debate on the Shia law led to closer working relationships between relevant stakeholders. • Proposed amendments to strengthen the law on the elimination of violence against women were formally presented to a parliamentary commission.
Improved awareness of, and support for, measures (including legal and policy reform) in relation to impunity and the transitional justice agenda, as well as freedom of expression	• Civil society was mobilized to establish a Transitional Justice Coordination Group. • Media organizations agreed on a common platform (the Kabul Declaration) for the strengthening of mechanisms for protecting freedom of expression. • In January 2010, it emerged that the law on public amnesty and national stability, granting amnesty to perpetrators of past serious crimes, had been gazetted in 2008.
Government fulfilment of reporting requirements on international human rights covenants and conventions and implementation of the recommendations from the Human Rights Council universal periodic review of Afghanistan	• UNAMA continued to work with the Government to improve the fulfilment of its reporting requirements in accordance with international human rights standards. • The Government reported within the framework of the universal periodic review mechanism of the Human Rights Council, and reviewed progress in implementing its obligations under the International Covenant on Economic, Social and Cultural Rights. • In August 2009, the Afghan Ministry of Foreign affairs launched its first report on the Convention of the Rights of the Child.
Improved capacity of Afghan and international actors, and primarily of the Government, to respect, protect and fulfil human rights, including with the support of the Afghan Independent Human Rights Commission, the media and civil society	• Progress was made regarding the capacity of the justice sector to address arbitrary detention, as well as the application of fair-trial guarantees. • UNAMA continued to mentor the Afghan Independent Human Rights Commission and to support the development of its capacity to assess the enjoyment of economic and social rights.

Indicators of progress	Assessment
	• A Human Rights Support Unit was established in the Ministry of Justice to mainstream the Government's human rights obligations across line ministries.

V. Counter-narcotics

Benchmark: sustained trend in the reduction of poppy cultivation, narcotics production and drug addiction

Requirements for progress include effective programmes for alternative livelihoods and for combating crime and narcotics-related corruption; improved coordination between the Government of Afghanistan and neighbouring countries, including interdiction and counter-trafficking efforts; and improved coordination between the Government of Afghanistan and international security forces.

Indicators of progress	Assessment
Decrease in poppy cultivation and narcotics production	• In 2009, opium cultivation in Afghanistan decreased by 22 per cent, from 157,000 to 123,000 hectares.
	• In 2009, the area under opium cultivation increased in Nangarhar, Badakhshan, Kandahar, Day Kundi, Badghis and Herat, by 11,500 hectares.
	• In 2009, the number of poppy-free provinces increased from 18 to 20.
Increase in licit agriculture and related private capital investment in areas previously used for poppy cultivation	• In 2009, it was estimated that more than 245,200 households were engaged in illicit opium poppy cultivation in Afghanistan, down from 366,500 in 2008.
Decrease in addiction rates	• The results of the United Nations Office on Drugs and Crime 2005 national drug use survey indicated an estimated total of 920,000 drug users in Afghanistan, including 120,000 female and 19,000 injecting drug users. Those are conservative estimates.
Increase in effective interdiction and counter-trafficking efforts, including through ISAF support to ANSF	• In 2009, the counter-narcotics police of Afghanistan seized more than 36.5 tons of opium, 5 tons of heroin and morphine, 13.8 tons of hashish and 28,910 litres of precursor chemicals. While the number of interdictions in Afghanistan has dramatically increased, owing to an improved counter-narcotics police force and the activated presence of international partners, it remains low, at only 2 per cent of the total number of seizures carried out globally.

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Macroeconomic policy questions: International financial system and development

Letter dated 11 March 2010 from the Permanent Representative of Singapore to the United Nations addressed to the Secretary-General

I have the honour to transmit to you on behalf of the informal Global Governance Group (3G), comprising the following States Members of the United Nations: the Commonwealth of the Bahamas, the Kingdom of Bahrain, Barbados, Botswana, Brunei Darussalam, Chile, Costa Rica, Guatemala, Jamaica, the Principality of Liechtenstein, Malaysia, the Principality of Monaco, New Zealand, Panama, the Republic of the Philippines, the State of Qatar, the Republic of Rwanda, the Republic of San Marino, the Republic of Senegal, the Republic of Singapore, Switzerland, the United Arab Emirates and Uruguay, a document entitled, "Strengthening the Framework for G-20 Engagement of Non-Members" (see annex).

On behalf of the 3G, I would be grateful if you could circulate the present letter and its annex as a document of the General Assembly.

(*Signed*) Vanu Gopala **Menon**
Ambassador and Permanent Representative

10-26893 (E) 150310

Please recycle

Annex to the letter dated 11 March 2010 from the Permanent Representative of Singapore to the United Nations addressed to the Secretary-General

Strengthening the Framework for G-20 Engagement of Non-members

1. The global economic crisis has underscored the need for more effective global governance mechanisms for economic policy coordination. The G-20 represents a significant step in that regard. The G-20 process and the swift, decisive actions that it brought about helped to avert a global economic depression in the last year. For the G-20's deliberations to be translated into effective actions on a global scale, they will need to be more consultative, inclusive and transparent. This will require the development of appropriate mechanisms to engage and consult a wider range of countries.

2. In this regard, the informal Global Governance Group (3G)[1] would like to propose the following approach for strengthening the framework of engagement between the G-20 and non-G-20 members:

- The United Nations is the only global body with universal participation and unquestioned legitimacy. The G-20 process should recognize and reflect this reality. The G-20 process and its actions and decisions should complement and strengthen the United Nations.
- It is important that the G-20 engages with the United Nations and its Member States through predictable and regular channels, including consultations with the wider membership before G-20 Summits. This will allow all States, especially smaller States, which constitute the majority of United Nations Members, to raise issues of concern to them and have their voices heard. In addition, the hosts of the G-20 Summits should provide the rest of the United Nations membership with an update after the meetings.
- The participation of the United Nations Secretary-General and the United Nations Sherpa at G-20 Summits and preparatory meetings, respectively, should be formalized. While the Secretary-General cannot represent our individual national positions, he is nevertheless in a position to convey the broad sense of the membership.
- There should be sufficient flexibility in the G-20 process to provide for the participation of non-G-20 members in discussions on specialized issues. It could take on a "variable geometry" configuration to allow non-G-20 States to participate in Ministerial gatherings and other working groups involving senior officials/experts on issues of specific concern to them. Variable geometry has been practised in many multilateral settings and the 3G subscribes to it in its approach.

[1] Commonwealth of the Bahamas, Kingdom of Bahrain, Barbados, Botswana, Brunei Darussalam, Chile, Costa Rica, Guatemala, Jamaica, Principality of Liechtenstein, Malaysia, Principality of Monaco, New Zealand, Panama, Republic of the Philippines, State of Qatar, Republic of Rwanda, Republic of San Marino, Republic of Senegal, Republic of Singapore, Switzerland, United Arab Emirates and Uruguay.

- While we applaud the inclusion of some regional organizations (e.g., APEC, ASEAN, AU Commission, EU, NEPAD) in the last two G-20 Summits, the participation of these and other established regional organizations in future G-20 Summits should be regularized. These regional organizations should fully participate in the G-20 and its associated processes.

3. The 3G believes that the above approach would bring greater transparency and inclusivity to the G-20 process, which in turn would strengthen the process and build wider support for G-20 actions.

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Security Council
Sixty-fifth year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Letter dated 10 March 2010 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I would like to draw your attention to the letter dated 24 February 2010 from the Permanent Representative of the Republic of Armenia to the United Nations, contained in document A/64/680-S/2010/102. This letter, which purports to respond to my letter addressed to you in connection with the eighteenth anniversary of an unprecedented massacre of the Azerbaijani population in the town of Khojaly (A/64/658-S/2010/78 of 8 February 2010), is not a single example of sophisticated and blatant falsification, by means of which the Armenian side attempts to deny its responsibility for the serious crimes committed during the aggression against Azerbaijan.

The Armenian side feigns ignorance of the fact that its responsibility for the brutal killings during one night from 25 to 26 February 1992 of 613 residents of Khojaly is recognized and documented by numerous independent sources, eyewitnesses of the tragedy, as well as admitted by Armenia's high-ranking officials and public sources.

Thus, the Permanent Representative of the Republic of Armenia omits clarifying the words of his country's then defence minister and current President, Serzh Sargsyan, who unequivocally admitted culpability for extermination of the inhabitants of Khojaly (Thomas de Wall, *Black Garden: Armenia and Azerbaijan through Peace and War* (New York and London: New York University Press, 2003), p. 172), as well as the revelations of another Armenian author who gave a detailed account of how Armenian soldiers had been killing the residents of Khojaly (Markar Melkonian, *My Brother's Road: An American's Fateful Journey to Armenia* (London and New York: I. B. Tauris, 2005), pp. 213-214).

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The Permanent Representative of the Republic of Armenia refers to ambiguous, politically motivated and groundless interpretations of the events in Khojaly, according to which the Azerbaijanis themselves allegedly "prevented the evacuation of the local civilian population from the military operation zone" and "the Azerbaijani militia shot those who attempted to flee" in order "to utilize civilian losses of such a magnitude" for internal political purposes. It is no coincidence that such a preposterous idea immediately collapses like a house of cards under the weight of evidence testifying of a situation diametrically opposite to that represented by the Armenian side.

The Armenian propaganda is not fastidious about any means it uses in attempts to enlist at least a kind of support to its cynical allegations. Thus, while manipulating the content of the Helsinki Watch report of 1992, the Permanent Representative of the Republic of Armenia seems to have forgotten that this non-governmental human rights organization had officially responded to the gross misinterpretation of its position by the Armenian side. The following letter dated 24 March 1997 from the Executive Director of Human Rights Watch/Helsinki addressed to the Minister for Foreign Affairs of Armenia speaks for itself:

> "As Executive Director of Human Rights Watch/Helsinki (formerly Helsinki Watch), I wish to respond to the March 3 Ministry of Foreign Affairs statement regarding the 1992 slaughter of Azeri civilians in the town of Khojaly in Nagorno-Karabakh. In it, the Ministry argues that the Popular Front of Azerbaijan was responsible for the civilian deaths, supporting this argument by referring to an interview with former President Ayaz Mutalibov and, incredibly, to a 1992 report by our organization.
>
> "The Ministry statement reads: '... the militia of the Azerbaijani National Front actively obstructed and actually prevented the exodus of the local population through the mountain passages specifically left open by Karabakh Armenians to facilitate the flight of the civilian population. On this matter, the September 1992 Helsinki Watch non-governmental organization report quotes an Azerbaijani woman who says that Armenians had notified the Azerbaijani civilian population to leave the town with white flags raised, in fact the Azerbaijani militia shot those who attempted to flee.'
>
> "Our report indeed found that many residents of Khojaly may have had advance warning of the impending military operation, since Armenian forces had given an ultimatum to Alif Gajiyev, then head of the Khojaly militia, who in turn warned civilians. Our research and that of the Memorial Human Rights Center found that the retreating militia fled Khojaly along with some of the large groups of fleeing civilians. Our report noted that by remaining armed and in uniform, the Azerbaijani militia may be considered as combatants and thus endangered fleeing civilians, even if their intent had been to protect them.
>
> "*Yet we place direct responsibility for the civilian deaths with Karabakh Armenian forces. Indeed, neither our report nor that of Memorial includes any evidence to support the argument that Azerbaijani forces obstructed the flight of, or fired on Azeri civilians.* (emphasis added)
>
> "We welcome the use of our reports by governments and intergovernmental organizations, and we sincerely hope that there will be no further misrepresentation regarding the contents of our 1992 report." (The full text of

the letter of the HRW Executive Director is available at the HRW website: <http://www.hrw.org/en/news/1997/03/23/response-armenian-government-letter-town-khojaly-nagorno-karabakh>).

In other words, whereas Human Rights Watch made it clear in the most unambiguous manner that Armenian forces bear direct responsibility for the civilian deaths in Khojaly and expressed its hope that there would be no further misinterpretation of its report, the Armenian propaganda continues to persistently utilize the refuted arguments and advocate the culture of impunity.

Furthermore, the letter of the Permanent Representative of the Republic of Armenia is yet another illustration of the Armenian side's "forgetfulness" as to the chronology of events pertaining to the beginning of the present-day stage of the conflict between Armenia and Azerbaijan. Thus, the Armenian side passes over in silence that the events in some Azerbaijani cities, notably in Sumgait on 26-28 February 1988, were preceded by a number of illegal declarations and decisions taken with a view to securing the unilateral secession of Nagorny Karabakh from Azerbaijan, attacks at the end of 1987 on the Azerbaijanis in Khankandi (during the Soviet period — Stepanakert) and Armenia, resulting in a flood of Azerbaijani refugees and internally displaced persons who were directed, among other places, to Sumgait. It must be also recalled that on the eve of disturbances in Sumgait, namely on 22 February 1988, near the settlement of Asgaran on the Khankandi-Aghdam highway, the Armenians opened fire on a peaceful demonstration, killing two Azerbaijani youths.

While trying to qualify the events in Sumgait as either "pogroms" or "massacre" against Armenians, the Armenian propaganda at the same time prefers not to mention at all a number of circumstances that are of vital importance in elucidating the true causes of these events. Indeed, on 26-28 February 1988, 26 Armenians and Azerbaijanis were killed in Sumgait. It is notable that one of the leading figures in these disturbances was a certain Edward Grigorian, an Armenian and native of Sumgait, who was directly involved in the killings and violence against the Armenians. By the judgement of the Criminal Division of the Supreme Court of the Azerbaijan SSR dated 22 December 1989, Grigorian was sentenced to 12 years' imprisonment. The Court found Grigorian to be one of the organizers of disturbances in Sumgait. Depositions by witnesses and victims show that he had a list of flats inhabited by the Armenians and, together with three other Armenians, called for reprisals against the Armenians, in which he took part personally. His victims (all Armenians) identified Grigorian as one of the organizers and active figures in the violence that occurred in Sumgait.

According to the Permanent Representative of the Republic of Armenia, "[i]mmediately after declaring its independence, Azerbaijan freed the accused murderers and openly saluted them as national heroes through the mass media". Instead of such irresponsible and groundless allegations, it would be appropriate for the Armenian side to recall that its law-enforcement bodies did not bring criminal proceedings against a single person for the brutal killing of 216 Azerbaijanis in the course of the forcible deportation of the Azerbaijani population from Armenia in 1987-1989.

In fact, events in Sumgait and some other cities of Azerbaijan, being necessary to the Armenian propaganda as a means of launching an extensive anti-Azerbaijani campaign and justifying the ensuing aggressive actions against Azerbaijan, had been

planned and prepared in advance. It is notable that a few days before the beginning of disturbances in Sumgait several Armenian families, the heads of whom, it later transpired, were closely connected to the "Krunk" Committee, an organization which must shoulder a substantial share of the responsibility for unleashing war against Azerbaijan, hurriedly left the city. The only film to chronicle the disturbances, which was promptly distributed around the world, was shot by a professional crew from Armenia who had come to Sumgait specially 24 hours before the events occurred.

The events in Sumgait and some other Azerbaijani cities also could hardly be managed without outside powerful support. As *The Times* wrote, the KGB leadership tried "to weaken the Kremlin's authority and powerbase" and "organised acts of provocation, using genuine local dissatisfaction as a base, in cities across the Soviet Union, including Sumgait and Baku ..." (*Vladimir Kryuchkov: Hardline Soviet Communist who became head of the KGB and led a failed plot to overthrow Mikhail Gorbachev*, Times Online, 30 November 2007, available at: <http://www.timesonline.co.uk/tol/comment/obituaries/article2970324.ece>).

Whereas it has been internationally recognized that the occupation by force of the Nagorny Karabakh region and adjacent areas of Azerbaijan and the ethnic cleansing of the captured territories constitute a flagrant breach by the Republic of Armenia of its obligations under international law, it is curious that the Armenian propaganda continues to qualify the aggression against Azerbaijan as "a peaceful demand of the Nagorno Karabakh people to exercise its right to self-determination".

The Government of the Republic of Azerbaijan made it clear more than once, and I am instructed to point it out once again, that Armenia's claims to the application of the principle of self-determination are contrary to and unsustainable in international law. Otherwise, this would be tantamount to accepting the results of a violation of fundamental norms of international law, including, in particular, those relating to the most serious international crimes as well as a rule prohibiting the use of force.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 14 and 18, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

United Nations A/64/708

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Report of the Board of Auditors on the accounts of the United Nations peacekeeping operations for the financial period ended 30 June 2009

Report of the Advisory Committee on Administrative and Budgetary Questions

1. During its consideration of the report of the Board of Auditors on the accounts of peacekeeping operations for the financial period ended 30 June 2009 (see A/64/5 (Vol. II), chap. II), the Advisory Committee on Administrative and Budgetary Questions met with the members of the Audit Operations Committee of the Board of Auditors.

2. The audit by the Board covered peacekeeping accounts and operations at United Nations Headquarters, 14 out of 16 active field missions, 25 completed missions, and 4 special purpose accounts, namely, the Peacekeeping Reserve Fund, the support account for peacekeeping operations, the United Nations Logistics Base at Brindisi, Italy (UNLB) and after-service health insurance.

3. The Advisory Committee notes that the audit was conducted in conformity with article VII of the Financial Regulations and Rules of the United Nations to assess the compliance with the rules, procedures and systems and management directives established by the United Nations Administration for peacekeeping operations. The Board performed the audit of the accounts of peacekeeping missions under financial regulation 7.5 to obtain reasonable assurance as to whether the financial statements of these missions were free from material misstatement. The audit included a general review of the financial systems and internal controls only to the extent that the Board considered it necessary to form an opinion on the financial statements. Therefore, the Board did not attempt to perform a performance audit or an evaluation of the implementation and management of operations of peacekeeping missions, or ascertain the root cause of the anomalies it found.

4. The Board has made 30 main recommendations for the period 2008/2009, as compared with 41 main recommendations issued for the period 2007/2008, reiterating to a large extent its previous recommendations on similar matters (A/63/5

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(Vol. II), chap II). In its report, the Board highlights only those issues that in its opinion should be brought to the attention of the General Assembly. Other findings and recommendations of the Board are conveyed to the Administration in management letters. During the period 2008/2009, the Board issued 15 management letters (see A/64/5 (Vol. II), chap. II, para. 6) as compared with 16 management letters issued in 2007/2008.

5. The report includes a follow-up to previous recommendations of the Board. In its findings, the Board noted an improvement in the rate of implementation of previous recommendations made during the previous five financial years. Of the 105 recommendations made for 2007/2008, 42 (40 per cent) were implemented, 56 (53 per cent) were partially implemented, 6 (6 per cent) were not implemented and 1 was overtaken by events. Two recommendations made in the period 2003/2004 remained outstanding as at 30 June 2009. One recommendation relates to delays in the write-off and disposal of non-expendable property and the other recommendation relates to setting up indicators of achievement for results-based budgeting. The Board again raised its concern in these two areas in the 2008/2009 report (see A/64/5 (Vol. II), chap. II, paras. 12 and 13, and annex II). As indicated in paragraph 20 below, the Board issued for the third time a modified audit report with an emphasis of matter relating to the management and control of non-expendable property and for a second time an emphasis of matter relating to expendable property.

6. In the present report, the Advisory Committee addresses some general issues related to the findings of the Board of Auditors and makes comments, observations and recommendations on cross-cutting issues. Where relevant, the Committee's comments, observations and recommendations with respect to the Board's recommendations on specific peacekeeping operations are contained in its reports on the budget submissions of the concerned missions.

7. The Committee notes that, although the Board's findings and observations referred to specific missions, its findings and observations do not imply that they are applicable to other missions, or that they may not exist in other missions (A/64/5 (Vol. II), chap. II, paras. 1, 2, 5, 7 and 8). **The Committee requests that in the next report, the observations and recommendations of the Board on specific missions be presented in an additional annex on a mission-by-mission basis.**

8. **The Advisory Committee continues to be concerned with the reoccurrence of problems previously identified by the Board on several occasions and the persistent non-compliance in implementing the Board's recommendations. It is also of great concern to the Committee that effective remedies have not been applied, including identifying more clearly responsibilities and accountability of managers, at Headquarters and in the missions. As noted by the Committee in its report on accountability (A/64/683 and Corr.1), existing instruments should be rigorously applied. The compact between the Secretary-General and his most senior officials records the evaluation of their performance (ibid., paras. 22-25). The Committee therefore believes that the compacts should serve as a useful tool to ensure that appropriate and timely remedial action is taken by the responsible officials to implement the Board's recommendations.**

9. In its previous report (see A/63/746), the Committee commented at length on the issuance of a modified audit report by the Board. **The Committee remains concerned with the continued deficiencies in the asset management of various**

missions, and reiterates its view that the continued issuance of a modified audit opinion by the Board of Auditors for three consecutive financial periods raises doubts as to the efficient use of resources and the safeguarding of the assets of the Organization. The Committee reiterates the need to improve the management of expendable and non-expendable property to ensure adequate safeguards that would prevent waste and financial loss to the Organization (ibid., para. 94). In view of the persistence of the problems, the Committee recommends that the Secretary-General designate a senior official to oversee resolution of the problems related to expendable and non-expendable property.

10. The Advisory Committee notes that the report of the Board of Auditors contains a summary of the views of the Administration in response to the Board's observations and recommendations. The Advisory Committee was informed that, owing to the timing of the preparation and release of the report of the Board, the comments of the Administration do not necessarily reflect the totality of corrective actions that may have been taken subsequent to the issuance of the report. The Board also informed the Committee that it has yet to validate the efficiency of the measures indicated as taken. The report of the Secretary-General on the implementation of the recommendations of the Board of Auditors was not available either during the Committee's hearings with the Board. Nonetheless, the Committee found in many instances the initial responses provided by the Administration to the Board to be unsatisfactory. For example, in a number of cases the actions taken by the Department of Field Support at Headquarters were limited to reminding the missions to follow the established procedures and directives, and no information was available on the specific actions taken to ensure that the recommendations were implemented. **The Committee expects that the forthcoming report of the Secretary-General on the implementation of the recommendations of the Board will include complete responses to the findings of the Board in 2008/2009.**

Implementation of the International Public Sector Accounting Standards

11. The Advisory Committee notes that the Board indicated delays in the implementation of the International Public Sector Accounting Standards (IPSAS) by peacekeeping operations. According to the Board, as a result of delays in the acquisition of the new enterprise resource planning (ERP) system, the earliest date of the implementation of IPSAS will be 2014. The Board notes that IPSAS is of critical importance for the recording of financial transactions of peacekeeping missions (A/64/5 (Vol. II), chap. II, paras. 42-44). **The Committee stresses that the implementation of ERP will not by itself resolve accountability issues (see also A/64/683 and Corr.1, paras. 45 and 46). The Committee has also indicated that, notwithstanding the projected benefits of the implementation of the ERP system, there are measures that can be taken to strengthen internal controls that are not dependent on the information technology in place (see A/64/501, para. 38).**

Contributions in kind and assessed contributions receivable

12. The Advisory Committee notes that the Board has reported an incremental improvement in the disclosure of certain categories of contributions in kind. They included facilities provided free of charge under the Status of Forces Agreement and/or the Status of Mission Agreement entered into with the host countries. **The Advisory Committee agrees with the recommendation of the Board that to**

further enhance the disclosure of all contributions in kind (budgeted and non-budgeted), the Administration should identify and make appropriate disclosures of the value of services and goods received under the Status of Forces Agreement and/or the Status of Mission Agreement (A/64/5 (Vol. II), chap. II, paras. 15-17).

13. The Advisory Committee also notes that, in the light of the decision by the General Assembly in its resolution 61/233 B on the issue of outstanding contributions, the Board has refrained from making a new recommendation and has therefore classified its previous recommendation as overtaken by events (ibid., para. 24).

After-service health insurance

14. As indicated in the report of the Board, the overall accrued after-service health insurance liability of the United Nations is determined by actuarial valuation, including the amount pertaining to peacekeeping operations. The Advisory Committee notes that the total amount of after-service health insurance liability for the period 2008/2009 was based on an actuarial valuation that was conducted in December 2007. The Board is of the view that, given the changes in the basic assumptions for the valuation, a new actuarial valuation should be carried out (A/64/5 (Vol. II), chap. II, paras. 38 and 39). **The Committee agrees with the view expressed by the Board and requests that the overall after-service health insurance liability be disclosed in the financial report and audited financial statements for the period 2009/2010 based on a new actuarial valuation.**

Support account for peacekeeping operations

15. In previous reports (A/59/736 and A/60/807), the Advisory Committee requested the Board to conduct an analysis of how the support account had evolved to its current application and configuration and how it may further evolve, taking into consideration the report of the Secretary-General on the matter. Consequently, the Board had conducted work on the issue in the prior period, and had recommended that the Administration develop an approach for the determination of support account requirements. In its present report, the Board indicates that a recent study by the Administration (prepared by consultants) of the relationship between the level and complexity of the peacekeeping operations and the level of the support account was completed only in February 2009 and was limited to a historical trend analysis. The Board concluded that, owing to the limitation of the study, it was unable to respond further to the request of the Advisory Committee (A/64/5 (Vol. II), chap. II, paras. 52-59).

Results-based budgeting and management

16. The observations of the Board were again focused on deficiencies in the application of the concepts of indicators of achievement and the portfolio of evidence of the results-based budgeting framework found in some missions. In its previous report, the Board had recommended that the Administration ensure that missions take appropriate measures to ensure that such indicators of achievement and outputs are formulated as specific, measurable, attainable, realistic and time-bound (SMART) to facilitate monitoring and reporting. For example, the Board noted that there were some instances where the planned indicators of achievement

were not completely measurable and an examination of the portfolio of evidence showed that there was no documentary evidence to fully substantiate the actual performance at the United Nations Operation in Côte d'Ivoire (UNOCI), while at the United Nations Interim Administration Mission in Kosovo (UNMIK), several indicators of achievement were not clear, measurable and planned outputs were the responsibility of other organizations. The Board also notes that there were anomalies in the collection, compilation and reporting of results-based budgeting data for all components at UNMIK and the United Nations Mission in Liberia (UNMIL), and the portfolio of evidence was not reviewed to ensure that it was valid, accurate and complete at the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). **The Committee previously has stressed that proper implementation of the results-based budgeting framework is essential for the monitoring and reporting on actual performance as compared to what was planned (A/63/746, paras. 100 and 101). The Committee has also commented on related issues in its report (A/64/683 and Corr.1, paras. 37-43), regarding the results-based management framework presented by the Secretary-General in his report (A/64/640).**

Procurement and contract management

17. On procurement and contract management, the Board noted that irregularities are widespread among many peacekeeping operations. There are continued deficiencies in technical evaluations, planning for procurement lead times, acquisition planning, awarding of contracts, monitoring of vendors' performance and a high number of ex post facto cases submitted from missions to the Headquarters Committee on Contracts, including those noted below (A/64/5 (Vol. II), chap. II, paras. 76-136).

18. On acquisition planning, the Board noted that in UNMIL and the United Nations Mission in the Sudan (UNMIS) inappropriate planning resulted in the procurement of a large number of assets that did not take into account the requirements of the specific missions. For example, in UNMIS, assets valued at approximately $1.6 million in stock were not used for years after being procured and surplus assets were not transferred to other missions or to UNLB. On air transportation, the Board noted that at MONUC, UNMIK, UNMIL and the African Union-United Nations Hybrid Operation in Darfur (UNAMID), troop rotation (managed at Headquarters) for the submission time frame allowed for potential vendors was much shorter than the minimum time required in the Procurement Manual, resulting in the exclusion of reputable vendors from the bidding process and the selection of vendors that may not be in the best interest of the United Nations. On vendors' performance evaluation, the Board noted lapses at the United Nations Mission for the Referendum in Western Sahara (MINURSO), the United Nations Disengagement Observer Force (UNDOF) and MONUC, and at UNMIL inconsistencies were noted in the technical evaluation reports submitted to the local contracts committee. On ex post facto cases submitted to the Headquarters Committee on Contracts, the Board noted that the value of these cases continued to be high. On local procurement actions for core requirements, the Board pointed out that UNAMID undertook local procurement actions valued at $9.5 million without local procurement authority and subsequently sought the approval of the Headquarters Committee on an ex post facto basis. Similar findings of local procurement of core requirements exceeding local procurement authority thresholds

were noted by the Board at the United Nations Peacekeeping Force in Cyprus (UNFICYP) and in 10 other peacekeeping operations audited by the Office of Internal Oversight Services (see A/64/5 (Vol. II), chap. II, para. 380 (c)). The main reasons given by the Administration for the high value of ex post facto submissions to the Headquarters Committee on Contracts appear to be late submission of letters of assist, protracted negotiations with Governments, and inadequate procurement planning and contract management. The Committee has commented on these issues extensively in the past (see, for example, A/63/746, paras. 104 and 106). **The Committee recalls its recommendations in paragraph 104 of its report (A/63/746) and regrets that there continue to be problems in compliance with the provisions of the Procurement Manual and other procurement rules and procedures.**

19. The Advisory Committee notes, from paragraphs 78, 81 and annexes VI and VIII of the report of the Board of Auditors (A/64/5 (Vol. II), chap. II), that the value of procurement from developing countries and countries with economies in transition declined from 60 per cent in the period 2006/2007 to 53.6 per cent in 2007/2008; furthermore, as at 30 September 2009, from a total value of $5.4 billion of active systems contracts, developing countries and countries with economies in transition accounted for approximately 25 per cent. The Advisory Committee recalls comments made in its report (A/64/501, para. 48) and will revert to the subject in the context of its review of the next report of the Secretary-General on procurement activities.

Expendable and non-expendable property

20. For four consecutive years, the Board has issued modified audit reports with emphases of matter. For the third consecutive year, the Board's emphasis relates to significant discrepancies between the results of the physical count of assets and the information recorded for expendable and non-expendable property at various missions, pointing out deficiencies in the overall management of United Nations property in various missions. Although some progress was noted in the verification of physical non-expendable property in some missions, the Board points out large discrepancies in the records of non-expendable property at UNMIK, UNMIL and UNAMID in that the records were inaccurate and unreliable; and at UNLB, UNMIK, MINURSO, MONUC and UNMIS a large quantity of assets were pending write-off and disposal (A/64/5 (Vol. II), chap. II, paras. 144-164).

21. With regard to stock ratios and surplus, the Board noted that the high level of stock of non-expendable property continued to exist throughout the missions. For example, at UNAMID, the United Nations Mission in the Central African Republic and Chad (MINURCAT) and the United Nations Observer Mission in Georgia (UNOMIG) the stock ratios of non-expendable property were 55 per cent, 50 per cent and 34 per cent, respectively. Surplus and obsolete assets continued to be held by missions, sometimes exposed to unfavourable storage conditions (e.g., at UNMIL) and not transferred to other missions or to UNLB or disposed of as appropriate. For example, 9,375 non-expendable property items at UNAMID and 8,286 non-expendable items at UNMIS should have been declared as surplus at the time of the audit (A/64/5 (Vol. II), chap. II, paras. 171-180). **The Advisory Committee shares the view of the Board that the high stock levels of non-expendable property will result in waste, deterioration and obsolescence as well as possible loss due to theft. The Committee has made a recommendation**

that the General Assembly request the Secretary-General to strengthen asset management and control of United Nations property (see para. 9 above).

Strategic deployment stock

22. The Board continued to observe deficiencies in the monitoring of the inventory of strategic deployment stocks at UNLB. A large portion of the inventory was held for a long period even though peacekeeping missions have undergone significant growth. As at 30 September 2009, 647 items valued at $4.46 million were in stock for more than five years; 2,817 items of electronic equipment valued at $12.4 million were in stock for more than a year; and 474 strategic deployment stocks items valued at $2.64 million exceeded their life expectancy. Moreover, most recently acquired items were issued to the missions, resulting in older items remaining in stock. According to the Board, this practice could have resulted in deterioration and obsolescence of the earlier strategic deployment stocks in stock. For example, 163 items of the strategic deployment stocks inventory valued at $0.7 million were received by UNAMID with an exceeded life expectancy. Some items, including medical supplies, had an exceeded life expectancy of over 26 months. The Committee notes that the Administration has removed all expired items in the trauma kits from the strategic deployment stocks inventory and is taking action to ensure that deployment of medical kits contain items with a sufficient period of remaining useful life (A/64/5 (Vol. II), chap. II, paras. 193-202). **The Committee agrees with the Board that UNLB should establish a monitoring mechanism, including through the full enforcement of the first-in, first-out principle, to avoid possible deterioration and obsolescence of strategic deployment stocks items. The Committee recommends that the General Assembly request the Secretary-General to review the management of the inventory of strategic deployment stocks to ensure that proper and adequate management is strictly adhered to and that adequate safeguards are in place to prevent waste and financial loss to the Organization. The Committee emphasizes that regardless of the outcome of the discussions on the Global Field Support Strategy, changes must be made in the overall management of strategic deployment stocks.**

Vehicle fleet management

23. The findings of the Board continued to point out weaknesses in the management of the United Nations vehicles in the missions (A/64/5 (Vol. II), chap. II, paras. 222-250). With regard to vehicle occupancy, the Board found that at UNIFIL and MINURSO surveys designed to improve the management of vehicles were not conducted, while at MONUC and UNMIL the Board identified weaknesses in implementation of the policies governing replacement of vehicles and monitoring maintenance of vehicles. The Board found that at UNDOF inadequate monitoring of vehicle usage was due to the improper installation of the CarLog system, while at UNMIL no procedures were in place to generate and review the CarLog system reports. The Board also noted a number of anomalies in the management of the vehicle fleet at MINURCAT, the United Nations Integrated Mission in Timor-Leste (UNMIT), UNMIL, UNAMID and UNDOF. The Committee notes that the Administration has agreed with the recommendations of the Board and taken initial action to correct many shortcomings pointed out by the Board. **The Advisory Committee agrees with the observations of the Board of Auditors and**

recommends that the General Assembly request the Secretary-General to comply with the recommendations of the Board and to review the vehicle fleet management practices in the missions so that operational efficiency gains can be obtained and financial risks can be mitigated, while safeguarding the reputation of the Organization.

Rations management

24. The Board continued to issue observations and recommendations on the management of rations, including the need to update the Rations Manual at Headquarters to reflect changes in the United Nations Rations Scale and food order methods; to expedite the approval of the rations management standard operating procedures at MONUC; to fully comply with the requirements of the rations contract relating to substitution of food rations and safety reports at UNFICYP; to make every effort to require the contractor to maintain rations reserves, as required by the contract at UNMIS; and to correct deficiencies in the temperature control of the storage of rations at UNMIS and UNMIT. The Committee notes that the Administration has agreed with the recommendations of the Board and has proceeded to implement them during the current financial period (A/64/5 (Vol. II), chap. II, paras. 254-269). **The Advisory Committee has stressed the need to ensure strict compliance with the requirements of the Procurement Manual and the procedures for the management of rations and regrets that effective measures have not yet been taken, as this issue has both financial implications for the Organization as well as an impact on the health and morale of contingent personnel (A/63/746, para. 109).**

Air operations

25. The aviation budget continues to represent a very large component of peacekeeping operations budgets, amounting to $593 million in 2008/2009. The Board noted a number of irregularities in the period under review which included on an overall basis a persistent underutilization of total flight hours vis-à-vis budgeted hours. More specifically, the Board found that at the United Nations Mission in Ethiopia and Eritrea (UNMEE), UNOMIG, MINUSTAH, UNAMID and MONUC the utilization of total flight hours was lower than 80 per cent of the budget; and at UNAMID, the flying hours of three helicopters accounted for only 10 per cent of the budgeted flying hours; while at MINURSO there was a consistent trend in underutilization of budgeted excess hours. At MONUC, it was noted by the Board that the operational risk management process had not been fully implemented; at MONUC and UNMIL there were a large number of aviation incidents; at UNMIL follow-ups were not performed regularly to recover the fuel costs from air operators of test and non-revenue flights; and at UNMIS no reimbursement was recovered from the contractor for aviation fuel consumption used for maintenance and other uses. The Committee notes that the Administration has accepted the recommendations of the Board and has taken measures to implement them (A/64/5 (Vol. II), chap. II, paras. 270-283). **The Committee recalls its observations and recommendations in paragraphs 41 to 50 of its report (A/63/746) concerning increased efficiency and cost effectiveness of air operations. The Committee agrees with the recommendations of the Board and stresses the need to manage the acquisition and utilization of air assets in the missions in a more efficient and effective manner. The Committee remains concerned with the low**

utilization of total flight hours and contractual arrangements that limit the possibility for exploiting a higher level of aggregation of demand (see A/63/746, para. 47). The Committee comments further on these matters in its general report on cross-cutting issues in peacekeeping operations.

Information and communications technology

26. The findings of the Board indicate a series of shortcomings in the management of information and communications resources at some missions. The Board notes that at MONUC, a disaster recovery and business continuity plan had been issued but was incomplete and the Mission lacks an approved information security policy, while there were weaknesses in the password control of various systems at both MONUC and UNMIL. The Board also noted that at MONUC no logs were kept for changes made to the system, which entails the risk that unauthorized changes to the system could remain undetected and that policies and procedures relating to information and communications technology had not been finalized at the time of the audit at MONUC and UNMIL. At UNMIK and UNMIS, the Board noted that management lapses in capacity-building could have impacted adversely the information and communications technology governance structure of the missions in regard to overall strategy, update of systems and implementation of actions. The Committee notes that the Administration has agreed with the recommendations of the Board (A/64/5 (Vol. II), chap. II, paras. 297-316).

Human resources management

27. In its review of human resources management issues, the Board reiterated its recommendations on recurrent problems, including the need to take appropriate measures to reduce recruitment lead times, expedite all requests for the classification and reclassification of posts at various missions, ensure that all missions establish human resources action plans, ensure that performance appraisals are complete and signed-off in a timely manner, adhere to the established procedures for monitoring and recording attendance. The Committee notes that the Administration has agreed with the recommendations of the Board (A/64/5 (Vol. II), chap. II, paras. 326-343).

28. With regard to vacancy rates, the Board found that the overall vacancy rates were 16 per cent and 35 per cent for stable missions and start-up missions, respectively, which were higher than the benchmarks of 15 per cent for stable missions and 20 per cent for start-up missions. The Committee notes the observations of the Board on the continued high vacancy rates, which have been an issue of great concern to the Advisory Committee. The Board noted that high vacancy rates may result in undue demands being placed on existing staff, further burdening the delivery of mission mandates and the proper functioning of internal controls systems, and recommended taking urgent measures to fill vacancies to enable missions to execute their mandates. The Committee notes the initial measures taken by the Administration to remedy the situation, including the introduction of new talent management system software and introduction of occupational group managers to manage rosters and improve outreach (A/64/5 (Vol. II), chap. II, paras. 317-325).

29. The Board identified a number of shortcomings related to training. They include the need to ensure that civilian staff members complete induction training

before they commence their duties in the mission area and to strengthen the monitoring of training plans and budgets, implementation of training activities and post-training evaluation at Headquarters and in all missions (A/64/5 (Vol. II), chap. II, paras. 349-358). **The Committee agrees with the recommendations of the Board and stresses the need to take timely corrective measures.**

30. **While the Advisory Committee has noted many serious issues confronting the management of human resources in peacekeeping missions, the Committee stresses the need to implement the recommendations of the Board and expects the Secretary-General, in the context of the ongoing human resource management reforms, to fully address these issues.**

Quick-impact projects

31. As in the previous period, in some missions the Board noted significant underutilization of financial resources appropriated for quick-impact projects in 2008/2009 as well as major delays in their implementation within the required time frame. At MONUC, of $1 million allocated to quick-impact projects, only $169,562 was expended; at UNIFIL and UNAMID some projects were not implemented within the required time frame and delayed for extended periods; at UNMIS of the $1 million allocated, at the end of the financial period only $68,107 had been disbursed. **The Advisory Committee shares the view of the Board that the lapses in the management of the resources appropriated for quick-impact projects will result in missed opportunities to assist and influence communities in which the missions function (A/64/5 (Vol. II), chap. II, paras. 362 and 363).**

Internal audit function

32. The Board noted an improvement in the vacancy rate of resident auditors of the Office of Internal Oversight Services from 36 per cent as of 31 July 2008 to 23 per cent as of 31 August 2009 and in the percentage of completion of planned audits from 55 per cent in 2008 to 61 per cent in 2009. The Board also observed slippages in issuing internal audit reports, noting that the delayed reports would risk not reflecting the conditions that prevailed during the audit and/or conditions that might have changed significantly and thus the results of the audits would potentially be negated (A/64/5 (Vol. II), chap. II, paras. 368, 369, 376, and table II.12). In this connection, the Advisory Committee noted in its previous report (A/63/746, para. 112) that the vacancy rate for resident auditors in field missions may have contributed to lapses in internal control. **The Committee requests that the Secretary-General addresses this issue as a matter of priority to ensure effective internal audit coverage of all missions.**

33. The Advisory Committee notes from the key findings of the Office of Internal Oversight Services report on peacekeeping operations, highlighted by the Board in paragraph 380 (d) of its report (A/64/5 (Vol. II), chap. II), serious irregularities in the management of a major contract with a supplier in UNAMID. Mismanagement of the contract resulted in incomplete delivery of works and services under the contract and exposed the Organization to significant financial risks. Irregularities included an overpayment of $5.3 million to the contractor, delivery of equipment by the contractor to the wrong locations, delays in performing receipt and inspection checks and contract equipment costing $3.3 million being delivered but not used throughout the duration of the contract, as the host Government did not provide

approval for its use. **The Advisory Committee requests that the Secretary-General inform the General Assembly of the action taken to address this matter at the time of consideration of the report of the Board of Auditors.**

34. The Advisory Committee notes that the Board meets on a regular basis with the Office of Internal Oversight Services and the Joint Inspection Unit on the planning of audits in order to avoid duplication of efforts.

Conclusion

35. The Advisory Committee considers that the recurring recommendations and observations contained in the report of the Board of Auditors reflect continued weaknesses in compliance with relevant financial rules and regulations as well as weaknesses in administration at all levels of management. Despite acceptance by the Administration of many of the recommendations of the Board and repeated calls by the Advisory Committee and legislative mandates by the General Assembly for a full and expeditious implementation of such recommendations, some problems continue to recur in many missions. **Given the financial and other risks to which the United Nations is exposed in this situation, it is the firm opinion of the Advisory Committee that the General Assembly should expect the Secretary-General to ensure the implementation of the recommendations of the Board and to strengthen administrative and institutional measures to address the underlying causes so that accountability and management is improved at all levels.**

United Nations A/64/709

General Assembly

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16 March 2010

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Sixty-fourth session
Agenda item 111 (h)
Elections to fill vacancies in subsidiary organs and other elections: election of fourteen members of the Human Rights Council

Note verbale dated 9 March 2010 from the Permanent Mission of Poland to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Republic of Poland to the United Nations presents its compliments to the President of the sixty-fourth session of the United Nations General Assembly and, regarding the decision by the Government of Poland to present its candidature to the Human Rights Council at the elections to be held in May 2010, in accordance with General Assembly resolution 60/251, adopted by the General Assembly on 15 March 2006, has the honour to enclose an aide-mémoire on the pledges and commitments of Poland in the field of human rights (see annex).

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Annex to the note verbale dated 9 March 2010 from the Permanent Mission of Poland to the United Nations addressed to the President of the General Assembly

[Original: English, French and Spanish]

Candidacy of the Republic of Poland to the United Nations Human Rights Council for the period 2010-2013

Voluntary pledges and commitments on human rights, in accordance with General Assembly resolution 60/251

1. Poland is firmly committed to the promotion and protection of human rights and fundamental freedoms, both in domestic and foreign policy. Respect for and observance of all human rights is a guiding principle of all activities conducted by the Government of Poland. We also believe that the effective protection and promotion of human rights is not fully achievable without enhanced international cooperation.

2. The standards of protection of human rights and fundamental freedoms are set out in the Constitution of the Republic of Poland of 2 April 1997. They reflect the regulations incorporated in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, referred to as the International Bill of Human Rights.

3. The Constitution (chap. II, "The Freedoms, Rights and Obligations of Persons and Citizens") enumerates the individual, political, economic, social and cultural freedoms and rights, and specifies measures needed for their protection. According to article 91 of the Constitution, international agreements ratified by the Republic of Poland, upon their publication in the Journal of Laws, are part of the domestic legal order and shall be applied directly, unless their application depends on the enactment of a statute. In addition, an international agreement ratified upon prior consent granted by statute takes precedence over statutes if such an agreement cannot be reconciled with statutes.

4. The Commissioner for Civil Rights Protection (Ombudsman) is a constitutional body established in 1987 to safeguard the human and civil rights and freedoms and to investigate potential infringement of the law, community life and social justice standards. The Commission for Civil Rights Protection meets the requirements elaborated in the Paris Principles.

5. The constitutional body responsible for the protection of the rights of the child is the Commissioner for Children's Rights, established by article 72, section 4, of the Constitution. The competence and procedure for appointment of the Commissioner for Children's Rights is specified by statute of 6 January 2000.

International activity and human rights commitments

6. Poland is a State party to the core international human rights instruments and their optional protocols.[1] Poland attaches great importance to full cooperation with the treaty bodies by submitting national reports and striving to implement adopted recommendations. In 2009, the relevant treaty bodies examined Polish reports on the implementation of the provisions of the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Optional Protocols to the Convention on the Rights of the Child (CRC-OPAC, CRC-OPSC).

7. Poland recognizes the competence of the treaty bodies to receive and examine complaints by individual entities against violations of the relevant human rights instruments. This applies to the Human Rights Committee, the Committee against Torture, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women.

8. Poland is deeply devoted to the promotion and protection of human rights worldwide and firmly believes that civil, political, economic, social and cultural rights are universal, indivisible, interrelated, interdependent and mutually reinforcing.

9. Poland served as a founding member of the Human Rights Council from 2006 until 2007 and actively participated in the discussions on institutional building (IB) of the Council. Poland is convinced that the Council should become a more effective and credible intergovernmental forum whose mission is to strengthen the promotion and protection of human rights in the world. In order to achieve this goal, Poland is ready to cooperate constructively with countries from all regions, both within the Council and the Third Committee of the General Assembly. In this spirit, Poland will continue its engagement in the promotion of the good-governance concept, on the basis of a cross-regional resolution entitled "The role of good governance in the promotion and protection of human rights". Poland is also committed to active participation in the 2011 review of the Human Rights Council.

10. Poland voluntarily submitted itself to the procedure of the universal periodic review (UPR) during its first session in 2008, and will continue to be actively involved in UPR debates and interactive dialogues on human rights issues.

11. Poland is committed to support the efforts of the Office of the United Nations High Commissioner for Human Rights to promote human rights around the world and is in favour of enhancing its effectiveness and independence.

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[1] International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, 1969), International Covenant on Civil and Political Rights (ICCPR, 1977), International Covenant on Economic, Social and Cultural Rights (ICESCR, 1977), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1981), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1989), Convention on the Rights of the Child (CRC, 1991), Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP1, 1992), Optional Protocol to the Convention on the Elimination of Discrimination against Women (OP-CEDAW, 2004), Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC, 2005), Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OP-CRC-SC, 2005), Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT, 2006).

12. Poland has issued a standing invitation to all United Nations Special Procedures mandate holders. Accordingly, Poland has continued its cooperation with the United Nations special procedures by receiving visits, replying to communications and following up their recommendations. In 2009 alone Poland hosted the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and the Special Rapporteur on trafficking in persons, especially women and children.

13. Poland contributes to the advancement of human rights and democratic values at the interregional level through participation in the works of the Alliance of Civilizations and the Community of Democracies. The Permanent Secretariat of the latter has functioned in Warsaw since 2008.

14. Poland is also committed to the promotion and protection of human rights through regional organizations, including the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe. Poland hosts the annual "Human Dimension Implementation Meetings", organized by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) based in Warsaw. As a member of the Council of Europe, Poland has been bound since 1993 by the Convention for the Protection of Human Rights and Fundamental Freedoms and has recognized the competence of the European Court of Human Rights to consider individual complaints against violations of the Convention. Poland also actively cooperates with the Commissioner for Human Rights of the Council of Europe.

15. The programme of Polish development assistance provides both for economic and social development of the beneficiary countries and also for the promotion of human rights, democracy and the civil society. In 2008, Poland allocated USD 372 million for development assistance. Last year that amount increased to USD 589 million. Poland is committed to the expansion of its development assistance in the coming years.

16. Poland signed the United Nations Convention on the Rights of Persons with Disabilities on 30 March 2007 and will move to ratify the Convention as soon as the necessary amendments are introduced to domestic legislation and ratification procedures are fulfilled.

17. Poland is committed to continue cooperation with United Nations human rights bodies mandated to receive individual complaints against violations of the respective core international human rights instruments. Such cooperation will consist, in particular, in the establishment of an effective mechanism for the implementation of the views of the respective committees.[2]

18. Poland is also committed to further work towards the implementation of the Durban Declaration and the Programme of Action (Durban I), as well as the Outcome Document of the Durban Review Conference adopted in Geneva in April 2009.

19. Poland will continue to support the activity of international bodies devoted to the promotion and protection of human rights by making voluntary financial contributions to them. In 2009, Poland made voluntary contributions, inter alia, to the Office of the High Commissioner for Human Rights (OHCHR), to the United

[2] Human Rights Committee, Committee on the Elimination of Racial Discrimination, Committee on the Elimination of Discrimination against Women, Committee against Torture.

Nations Joint Programme on HIV/AIDS (UNAIDS), and to the International Committee of the Red Cross (ICRC).

20. Poland is also a contributor to the United Nations Democracy Fund (UNDEF), which seeks to strengthen the voice of civil society and expand democracy worldwide. In January 2010 Poland became a member of the UNDEF Advisory Board for a two-year term.

Internal action and commitments

21. In order to upgrade the coordination of efforts to ensure equal treatment and to counter discrimination for reasons of sex, race, ethnic origin, nationality, religion, political views or sexual orientation, the Office of the Government Plenipotentiary for Equal Treatment was established in 2008.

22. Poland will strengthen statutory regulations concerning equal treatment through systemic projects designed to improve the situation of women in the labour market and to introduce mechanisms facilitating the reconciliation of vocational activity and family life. Furthermore, Poland will intensify efforts to improve the situation of persons with disabilities by creating mechanisms facilitating the full participation of such persons in social life and ensuring their equal access to public services.

23. Building on experience gained in the process of implementing the national programme against racial discrimination, xenophobia and related intolerance (2004-2009), Poland is committed to continuing the implementation of a comprehensive plan of action for the coming years. Its priorities include integration of the Roma minority and anti-racist education of young people (i.a., in connection with preparations for EURO 2012 in Poland and Ukraine).

24. Poland will implement measures to ensure equal access of children to education. Assistance with the development of children is one of the priorities of the educational policy. It is implemented, among others, through broader preschool education and the lowering of the school age.

25. Poland is committed to the elevation of human rights standards by developing the national network of support for crime victims, the provision of free legal and psychological aid, the development of uniform standards of treatment of victims and training for law enforcement officers and members of the judiciary and social services to improve their professional skills. With a view to the above, in 2009 the Ministry of Justice established a Department for Human Rights, whose tasks include assistance to crime victims and coordination of aid for such persons.

26. Poland will campaign against domestic violence by ensuring effective legal protection and other countermeasures. This will be achieved by amending the act on countering domestic violence with provisions on assistance to victims, banning corporal punishment and training social workers.

United Nations A/64/710

General Assembly

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Sixty-fourth session
Agenda item 128
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter dated 15 March 2010 from the Secretary-General addressed to the President of the General Assembly

I have the honour to attach for your attention a letter dated 1 March 2010 from Judge Patrick Robinson, President of the International Tribunal for the Former Yugoslavia (see annex).

President Robinson seeks authorization for two ad litem judges, Judge Kimberly Prost (Canada) and Judge Ole Bjørn Støle (Norway), to continue serving at the International Tribunal until the end of May 2010 so that they may complete the judgement in the case of the *Prosecutor v. Popović et al.*

In resolution 1900 (2009) of 16 December 2009, the Security Council decided that, notwithstanding the expiry of their terms of office on 31 December 2009, Judges Prost and Støle would be allowed to complete the *Popović* case. The Security Council took note of the intention of the International Tribunal to complete that case before the end of March 2010. According to President Robinson, the completion of the *Popović* case has now been delayed until the end of May 2010, due to unforeseen factors related to the scale and complexity of the case.

In the light of the above, the approval of the Security Council, as the parent organ of the International Tribunal, and of the General Assembly, as the organ that elects its judges, is necessary to allow Judges Prost and Støle to complete the *Popović* case, notwithstanding the expiry of their terms of office.

I would be grateful if you could bring the letter from President Robinson to the attention of the members of the General Assembly.

(*Signed*) **BAN** Ki-moon

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Annex

Letter dated 1 March 2010 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the Secretary-General

I have the honour to refer to the 116th plenary meeting of the fifty-ninth session of the General Assembly on 24 August 2005, during which 27 ad litem judges of the International Criminal Tribunal for the Former Yugoslavia were elected for a mandate of four years. I also refer to resolution 1837 (2008), resolution 1877 (2009) and resolution 1900 (2009), which were adopted by the Security Council on 29 September 2008, 7 July 2009 and 16 December 2009, respectively.

In resolution 1900 (2009), the Security Council decided that, notwithstanding the expiry of their terms of office on 31 December 2009, Judge Kimberly Prost (Canada) and Judge Ole Bjørn Støle (Norway) may be permitted to complete the *Popović et al.* case. It also took note of the intention of the International Tribunal to complete the case before the end of March 2010. By the present letter, I wish to advise that, due to unforeseen factors related to the scale and complexity of the case of *Popović et al.*, the delivery of the judgement is delayed and will not be rendered until the end of May 2010.

Accordingly, it has become necessary to seek an extension of the terms of Security Council resolution 1900 (2009) in order to extend the mandates of Judges Prost and Støle so that they may complete their assignment to this case and so that they can continue to serve beyond the cumulative period of service provided for under article 13 ter, paragraph 2, of the statute of the International Tribunal.

It has also become necessary to seek an extension of the terms of Security Council resolution 1900 (2009) as the International Tribunal will continue to have a total number of ad litem judges over the statutory limit until the delivery of the judgement in the *Popović et al.* case.

I would be grateful if these matters could be brought to the attention of the Security Council as a matter of urgency.

(*Signed*) Patrick **Robinson**
President

United Nations A/64/711

General Assembly

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17 March 2010
English
Original: Spanish

Sixty-fourth session
Agenda item 23
Question of the Falkland Islands (Malvinas)

Letter dated 15 March 2010 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith a statement by the Argentine Republic on the most recent developments in relation to the Malvinas question, including the Secretary-General's mission of good offices (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 23.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

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Annex to the letter dated 15 March 2010 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Statement by the Argentine Republic on the most recent developments in relation to the Malvinas question, including the Secretary-General's mission of good offices

The Argentine Republic acknowledges the Secretary-General's efforts in connection with the mission of good offices entrusted to him by the General Assembly, in the context of his functions under the Charter of the United Nations, and renewed annually by the Special Committee on Decolonization. The Argentine Republic urges him to continue to discharge that mandate, which relates to the effort to find a solution to the sovereignty dispute between Argentina and the United Kingdom over the Malvinas, South Georgia and South Sandwich Islands and the surrounding maritime areas, and reaffirms its readiness to assist him in carrying out that task.

In accordance with that mandate, the Secretary-General and the Minister for Foreign Affairs of Argentina have held a number of meetings on the Malvinas question, the most recent of which took place on 24 February 2010. On that occasion Argentina drew attention in particular to the worsening of the situation in the South Atlantic as a result of the United Kingdom's most recent unilateral actions in relation to oil and gas exploration in areas of the Argentine continental shelf unlawfully occupied by that country.

Background

The sovereignty dispute has been recognized in General Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, as well as the resolutions adopted by consensus each year by the Special Committee on Decolonization, in which the Committee expresses regret that, in spite of the widespread international support for a negotiation between the Governments of Argentina and the United Kingdom, the implementation of the General Assembly resolutions on this question has not yet started, and requests the Governments of Argentina and the United Kingdom to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful and lasting solution to the sovereignty dispute relating to the question of the Malvinas Islands.

With the aim of creating a climate conducive to the resumption of substantive negotiations with the United Kingdom, Argentina agreed to a series of provisional bilateral understandings under the sovereignty formula.

One such understanding was the Argentine-British Joint Declaration on Cooperation over Offshore Activities in the South West Atlantic, adopted on 27 September 1995, which concerned exploration for and exploitation of hydrocarbons. The South West Atlantic Hydrocarbons Commission established by the Joint Declaration held eight meetings between March 1996 and July 2000. During that period, the United Kingdom, on the basis of an unreasonable interpretation of that understanding, carried out unilateral actions in this regard, all of which were protested by Argentina. At the Commission's final meeting, the two

parties put on record, in a joint press statement, the fact that they continued to have divergent interpretations of how the Declaration was to be implemented and agreed to reflect further on how to resolve the issue and to refrain from convening additional Commission meetings until a solution was found.

The substantive divergence between the parties concerned the geographical area to which the Joint Declaration applied. Whereas the Declaration provided that it applied to "maritime areas of the South West Atlantic subject to a controversy on sovereignty and jurisdiction" (the 430,000-square-kilometre area of the Malvinas Islands, excluding the areas of the South Georgia and South Sandwich Islands), the United Kingdom sought to limit its cooperation with Argentina to the "areas for special cooperation" established by the agreement, totalling only 21,000 square kilometres, while reserving all the rest of the disputed area for its own unilateral actions.

The 1995 Joint Declaration also failed to help generate a climate conducive to the resumption of negotiations to settle the dispute. On the contrary, the United Kingdom sought to use the agreement to claim, incorrectly, that its provisions would shield oil companies operating unlawfully in the disputed area from legal action by Argentina.

After an interval of seven years, in which the United Kingdom showed no sign of intending to resolve the divergence in interpretations, the Government of Argentina decided to terminate the Declaration on 27 March 2007. This decision was unanimously supported by all the Heads of State who participated in the first South American Energy Summit, as expressed in the presidential statement of 17 April 2007.

The United Kingdom's unilateral actions have persisted without interruption since that time, despite Argentina's repeated protests and in contravention of General Assembly resolution 31/49, which calls upon both parties to the dispute to refrain from introducing modifications in the situation while the Malvinas Islands are going through the sovereignty dispute settlement process recommended by the United Nations, which is to take place through bilateral negotiations.

Latest developments

The most recent instance of such action was the resumption of the granting of so-called British licences to explore for oil and gas — non-renewable natural resources — in areas of the Argentine continental shelf unlawfully occupied by the United Kingdom. This prompted a strong protest from the Argentine Government on 2 February 2010 (A/64/653).

At the Unity Summit, held in Cancún on 22 and 23 February 2010, the Heads of State and Government of Latin America and the Caribbean reaffirmed their support for the Argentine Republic's legitimate rights in the sovereignty dispute with the United Kingdom of Great Britain and Northern Ireland concerning the question of the Malvinas Islands, recalling that it was in the region's interest for the two Governments to resume negotiations in accordance with the relevant resolutions and declarations of the United Nations and the Organization of American States.

In relation to illegal exploration for oil and gas in the Argentine continental shelf, the Heads of State and Government of Latin America and the Caribbean recalled the provisions of General Assembly resolution 31/49, whereby the

Assembly "calls upon the two parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands are going through the process recommended" by the General Assembly.

The measures that Argentina has taken in response to the British actions are moderate, prudent and consistent with the Argentine constitutional imperative requiring that this controversy be settled in accordance with international law.

These measures consist of requiring all vessels seeking passage between ports located in Argentina's continental territory and ports located in the Malvinas, South Georgia or South Sandwich Islands to request the relevant permits from the competent Argentine authorities. Similarly, Argentina has adopted rules allowing it to penalize companies that engage directly or indirectly in oil and gas exploration or exploitation without the relevant permits issued by the competent Argentine authorities.

Once again, the Government of Argentina reiterates its strong support for the actions that the Secretary-General continues to take in fulfilment of the good offices mandate entrusted to him by the General Assembly in its resolutions on the Malvinas question, and gratefully acknowledges the Secretariat's valuable contribution in that regard. In addition, it trusts that the United Kingdom, in response to the exhortations deriving from that mandate, will accept its obligation to settle disputes peacefully in accordance with the principles laid down in the Charter of the United Nations, together with its obligation to abide by the General Assembly's resolutions on the Malvinas question, in particular the above-mentioned resolution 31/49.

United Nations A/64/712

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Agenda items 140 and 146

Report on the activities of the Office of Internal Oversight Services

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Programme evaluation of the performance and the achievement of results by the United Nations Mission in Liberia

Report of the Office of Internal Oversight Services*

"UNMIL has achieved substantial progress in implementing its mandate, but weak implementation of reform in the security sector poses a risk to sustained peace and security in Liberia"

Summary

The present report of the Office of Internal Oversight Services (OIOS) is the result of its programme evaluation of the performance and the accomplishment of results by the United Nations Mission in Liberia (UNMIL). The objective of the evaluation was to determine the relevance, efficiency and effectiveness (including the impact) of UNMIL in relation to its mandated objectives. The purpose of the report is to enable the Secretariat and Member States to engage in systematic reflection with a view to increasing the effectiveness of UNMIL. OIOS utilized a mix of qualitative and quantitative methods in the conduct of the evaluation, including in-depth interviews with representatives of the Government of Liberia, Mission management and staff, the United Nations country team, external stakeholders, the Department of Peacekeeping Operations and the Department of Field Support; surveys of the Liberian population, including ex-combatants, and UNMIL staff; and the structured review of United Nations documents.

* The compilation and analysis of data, including the local population survey, required to provide the most current and pertinent information delayed the submission of the present report.

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OIOS found that, while substantial progress has been made towards the fulfilment of the Mission's mandate, serious challenges remain. The Office found that, among the local population, UNMIL is regarded as having a high level of legitimacy and is a source of confidence as a security provider. The population views UNMIL as playing an essential role in supporting the current peace, in particular by enabling the armed forces to disarm and by providing civilians with a sense of security. Together with the maintenance of the ceasefire, noticeable achievements have been accomplished in programmatic areas such as disarmament, demobilization, reintegration and repatriation and the holding of democratic elections, greatly contributing to a stable and peaceful Liberia.

However, there has been limited progress and important challenges remain in relation to reform of the security sector and judicial and corrections institutions — areas that are more dependent on the development of national strategies and on the funding and resources provided by donors. The lack of an overarching strategy for security sector reform is a critical issue that puts at risk the sustainability of peace and security, as well as the Mission's achievements. In addition, the fact that the accomplishments in those areas have been limited has affected the ability of UNMIL to fulfil other aspects of its mandate, such as the promotion of human rights.

In its work with the United Nations country team, UNMIL has established a model field coordination structure, facilitating a "One United Nations" approach in Liberia. They have also established an integrated strategic planning framework through which the Mission and the country team work together in partnership to assist the host country.

The present report contains 12 recommendations to help improve the Mission's performance and promote the achievement of results. These include recommendations to:

(a) Develop an overarching strategy for security sector reform;

(b) Strengthen the support provided to the Liberian National Police, through a range of measures;

(c) Intensify dialogue with the Government of Liberia on national legal reform and reform of the judicial sector;

(d) Align exit strategies with a security needs assessment in order to avoid the creation of a security vacuum as the Mission downsizes;

(e) Overcome the administrative challenges hampering further integration of the Mission with the country team.

A draft version of the present report was reviewed by the Department of Peacekeeping Operations, the Department of Field Support and UNMIL, and specific comments resulting from the review have been incorporated throughout the report in italics. OIOS greatly appreciates the cooperation and assistance extended to it by the departments and UNMIL during the course of the evaluation.

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I. Introduction

1. The Office of Internal Oversight Services (OIOS) undertook a programme evaluation of the performance and the achievement of results by the United Nations Mission in Liberia (UNMIL) in accordance with its mandate.[1]

2. The purpose of the programme evaluation was to determine the relevance, efficiency and effectiveness (including the impact) of UNMIL in relation to its mandated objectives. The evaluation focused on the progress made towards the fulfilment of the mandates and operational objectives of the Mission, the relevance of the mandates, activities and outputs in the context of the current political situation, the efficiency with which outputs were delivered, the validity of strategies and partnership arrangements, and the identification of good practices and lessons learned that can inform other peacekeeping missions.

II. Methodology

3. OIOS used a mix of qualitative and quantitative methods in the conduct of the evaluation, including the following data sources:

(a) A self-administered survey of international and national staff of UNMIL, United Nations Volunteers and senior military and United Nations police staff;

(b) In-depth interviews with Mission senior management, section chiefs and staff;

(c) In-depth interviews with representatives of the Government of Liberia and with Liberian county officials;

(d) In-depth interviews with Headquarters staff from the Department of Peacekeeping Operations and the Department of Field Support;

(e) Interviews with United Nations agencies, funds and programmes that form the United Nations country team in Liberia;

(f) In-depth interviews with external stakeholders;

(g) A structured review of United Nations documents, including reports of the Secretary-General, budget and performance reports and the reports of technical assessment missions.

4. In addition, a survey of the population of Liberia was undertaken during the winter of 2009 to gauge the perceptions of both ordinary civilians and former combatants regarding the impact of UNMIL operations. The survey was not designed to represent the views of the Liberian population in general; rather, it focused purposively on communities that either (a) received UNMIL deployments or (b) did not receive deployments, but resembled recipient communities in terms of socio-economic conditions and geography. The objective was to provide a basis for assessing the impact of UNMIL by comparing recipient and non-recipient communities. The evaluation attempted to test the hypothesis that peacekeeping deployments have local impacts that include laying the groundwork for social,

[1] See General Assembly resolutions 48/218B, 54/244 and 59/272, ST/SGB/2002/7 and Article 97 of the Charter of the United Nations.

economic and political transformation that can lead to sustainable peace. The sample comprised 2,000 individuals aged 15 years or older, with 1,295 respondents (1,020 civilians and 275 ex-combatants).

5. OIOS also made use of the services of an advisory panel composed of internationally recognized researchers and experts in the peace and conflict arena, who provided feedback and comments regarding the draft report.

6. OIOS notes the following limitations of the evaluation:

(a) The overall rate of response to the self-administered survey sent to all international and national staff of UNMIL, as well as United Nations Volunteers, was 26 per cent. While that is close to the norm for United Nations staff surveys, the conclusions cannot be considered representative. Nevertheless, they constitute the best information available;

(b) Respondents returning a self-administered survey may represent extremes among the population;

(c) Survey findings are biased significantly towards the opinions of international staff, as the response rate of international staff was 45 per cent (238 responses out of a possible 522), as compared with only 15 per cent of national staff (159 responses out of a possible 1,050);

(d) There was a reliance on secondary data in the assessment of areas for which it was not possible to collect primary data.

7. A draft version of the present report was reviewed by the Department of Peacekeeping Operations, the Department of Field Support and UNMIL, and specific comments resulting from the review have been incorporated throughout the report in italics, as appropriate. OIOS greatly appreciates the cooperation and assistance extended by the departments and by the senior leadership and staff of UNMIL during the course of the evaluation.

III. Background

8. The conflict in Liberia began in 1989 with armed confrontations between Government forces and the armed opposition group of the National Patriotic Front of Liberia (NPFL). Arbitrary rule and economic collapse had culminated in civil war by the late 1980s, when the NPFL militia overran much of the countryside, entering the capital in 1990. The Economic Community of West African States (ECOWAS) deployed its Military Observer Group (ECOMOG) in 1990 to intervene in the civil war. After ECOWAS had succeeded in brokering a peace agreement for Liberia in 1993, the United Nations established the United Nations Observer Mission in Liberia (UNOMIL) to support ECOMOG in implementing the peace agreement. UNOMIL was withdrawn at the end of 1997 as Charles Taylor, the leader of NPFL, was elected President of Liberia, and the United Nations Peacebuilding Support Office in Liberia (UNOL) was established.

9. Despite the peacebuilding efforts, the civil war resumed and was intensified in 2003, involving Liberians United for Reconciliation and Democracy (LURD), the Movement for Democracy in Liberia (MODEL) and the Government of Liberia. In August 2003, a Comprehensive Peace Agreement was signed in Accra. It called for the establishment of a National Transitional Government of Liberia in October the

same year. It also requested that a United Nations stabilization force, with peace enforcement capabilities mandated under Chapter VII of the Charter of the United Nations, be deployed to Liberia to assist the Transitional Government, to help keep the peace and to aid the country in holding elections for a new national Government in 2005.

10. UNMIL was established by the Security Council in its resolution 1509 (2003), after the Council had determined that the situation in Liberia posed a threat to international peace and security in the region. The Council authorized UNMIL to operate under Chapter VII of the Charter, and the Mission was provided with 15,000 military personnel and some 1,115 United Nations police, including formed police units. The total budget allocated to UNMIL since its establishment amounts to just under $4.7 billion. The current substantive mandated activities of the Mission, as stipulated in resolution 1509 (2003) and further developed by the Council in its resolutions 1638 (2005) and 1750 (2007), as well as its resolution 1885 (2009), by which it extended the Mission's mandate until 30 September 2010, include:

(a) Support for the implementation of the ceasefire agreement;

(b) The protection of United Nations staff, facilities and civilians;

(c) Support for humanitarian and human rights assistance;

(d) Support for security sector reform;

(e) Support for the implementation of the peace process;

(f) Assisting the Government of Liberia with the 2011 elections.

IV. Findings of the evaluation

11. The programme evaluation assessed the mission's performance in all the aforementioned mandated areas, and the findings are presented accordingly.

A. Support for the implementation of the ceasefire agreement

1. UNMIL has contributed effectively to the implementation of the ceasefire agreement, but faces challenges in the work of reintegration and rehabilitation

12. The Mission's ceasefire mandate included monitoring the ceasefire and the disengagement of all forces, investigating violations and supporting the work of the Joint Monitoring Committee. The mandate also included developing a strategy for the disarmament, demobilization, reintegration and repatriation of ex-combatants, implementing the disarmament and demobilization programme, and collecting and destroying weapons and ammunition. In addition, the mandate required UNMIL to secure key Government installations and infrastructure.

13. OIOS noted the successful completion of the critical ceasefire component of the Mission's objectives upon its deployment, when the capital, Monrovia, was swiftly secured. A documentation review showed that the ceasefire had generally continued to hold, no severe security violations had been recorded and no major

incidents of battle-related violence had occurred.[2] This was further evidenced by the finding of the population survey that UNMIL is regarded as highly legitimate as a security provider within the Liberian population. Nearly all (97 per cent) respondents stated that UNMIL had helped to end the war, and 78 per cent noted that they were confident that UNMIL was capable of preventing fighting among armed groups. Ninety-three per cent of respondents felt safer after the Mission's deployment than they had felt before it.

14. With regard to disarmament and the collection of weapons, OIOS noted that substantial progress has been achieved. By the end of 2004, UNMIL had been successful in disarming and demobilizing 101,495 combatants and had collected and destroyed some 28,000 weapons, 34,000 pieces of unexploded ordnance and 6.5 million rounds of small arms ammunition. The disarmament and demobilization process was considered largely completed and successful. That has been corroborated by the findings of a multi-donor review undertaken by the United Nations Development Programme as an external midterm evaluation in October 2006.

15. The OIOS population survey found that the Mission's provision of security was an important factor in that success; the majority (85 per cent) of ex-combatants at regrouping sites did not fear attack from opposing factions while under the Mission's protection, and most (72 per cent) did not fear that surrendered weapons would be stolen by opposing forces. UNMIL has since continued to collect and destroy residual weapons and ammunition voluntarily surrendered or discovered through search operations. By August 2007, this ongoing effort had resulted in the collection of an additional 748 weapons, 1,390 pieces of unexploded ordnance and 99,980 rounds of ammunition.

16. OIOS noted that the Mission faced greater challenges in the implementation of the reintegration and rehabilitation components of the programme, which officially closed only in mid-2009. The OIOS survey of ex-combatants found that less than half (37 per cent) had registered for benefits, that most (85 per cent) of those individuals had chosen only vocational training, and that only half of that number had completed their training.

17. In terms of social reintegration, a positive finding of the OIOS survey was that a large majority (77 per cent) of ex-combatant respondents spent most of their time with "family and friends", as opposed to "friends from faction" (12 per cent). The population survey found that the percentage of households earning more than LRD 4,500 (just under $2 a day) was higher in communities where troops were deployed than in communities distant from deployments. However, the survey's findings on the impact of the Mission's quick-impact projects and employment projects did not show that the projects had had significant economic benefits for the recipient communities.

18. *On the issue of quick-impact projects, UNMIL commented that the goals of such projects are not necessarily economic and that recent projects are aimed at strengthening the rule-of-law sector and consolidating State authority, for example. Regarding employment projects, UNMIL provided additional information indicating that between 2006 and 2010, emergency employment interventions resulted in the*

[2] E. Mvukiyehe and C. Samii, "Quantitative Impact Evaluation of the United Nations Mission in Liberia: final report" (working draft 1.0), 18 January 2010.

creation of more than 75,000 short-term jobs (equalling 2.3 million workdays) and the injection of more than $6 million into Liberia's most vulnerable communities. UNMIL further stated that an impact assessment was carried out in 2008 by the Liberia Institute of Public Administration, with positive findings.

B. Protection of United Nations staff and facilities, and civilians

2. UNMIL has been effective for the most part in the protection of United Nations staff and facilities, and civilians

19. An important element of the mandate of UNMIL is the task of protecting United Nations personnel, facilities, installations and equipment, as well as ensuring the security and freedom of movement of its personnel. The mandate also authorizes the Mission to protect civilians under imminent threat of physical violence, within its capabilities and without prejudice to the efforts of the Government. Liberia is currently under security phase three, and incidents of armed violence are recurrent throughout the country.

20. OIOS noted that attacks on United Nations personnel and property have been caused mainly by disgruntled former United Nations employees and that incidents of crime such as robberies are now perceived to be the greatest single direct threat both to the Liberian population and to United Nations personnel and property. This includes thefts, robberies, residential break-ins and acts of harassment. The Office found that UNMIL staff in general (91 per cent) regard the implementation of the protection mandate as satisfactory or better, with only 7 per cent considering it to be poor or very poor. Staff perceptions aside, there is insufficient information to evaluate the actual performance of UNMIL on the basis of quantitative evidence.

21. *Regarding the aforementioned issue, UNMIL has commented that, as a result of the efforts of the Security Information and Coordination Unit, the Security Section has a complete quantitative record of all security-related incidents, as reflected in the biweekly security management team statistics and the biannual security risk assessments. The analysis of security threats is regularly monitored and also reflected in security risk assessments, as well as in the risk matrix.*

22. With regard to civilian protection, the results of the population survey indicated that the efforts of UNMIL to protect civilians are positively assessed by the Liberian population, with 78 per cent of respondents stating that they were confident in the Mission's ability to protect civilians. When asked to list whom they would turn to if they faced insecurity as a result of armed groups, approximately 88 per cent mentioned UNMIL as an essential security provider. Of these respondents, approximately one third indicated that they considered UNMIL to be their sole security provider. In addition, most people surveyed regarded UNMIL as being respectful of the local population, with only 7 per cent indicating that UNMIL never or rarely treated people with dignity and respect. In general, there is widespread approval of UNMIL among the Liberian population, most of which is very appreciative of the Mission's presence and sees no reason for a hasty withdrawal.

C. Support for humanitarian and human rights assistance

3. The Mission's performance in its support for humanitarian and human rights assistance has been mixed

23. The mandate of UNMIL includes facilitating the provision of humanitarian assistance and contributing to the protection and promotion of human rights, in particular those of the members of vulnerable groups, such as refugees, internally displaced persons, women, children and demobilized child soldiers. OIOS notes that progress concerning the advancement of humanitarian and human rights assistance in Liberia has been mixed.

24. With regard to the facilitation of humanitarian assistance, UNMIL reports progress in the improvement of humanitarian conditions, such as access to food, water and shelter, among the most basic conditions, made possible by the drastic improvements in the security situation throughout the country, even though programmes have been constrained by poor infrastructure. In addition, UNMIL has previously supported the delivery of humanitarian assistance through the coordination of security and logistics support for humanitarian access. These activities had contributed to the return of some 160,000 refugees by the beginning of 2008 and of more than 270,000 internally displaced persons by 2006. The staff survey found that nearly all UNMIL staff are satisfied with the Mission's support for humanitarian assistance activities.

25. However, while UNMIL is regarded among the local population as having a great deal of legitimacy as a security provider, it is not recognized as playing a major role in humanitarian activities. When asked what humanitarian activities UNMIL had engaged in regularly in their communities, 41 per cent of respondents indicated "none". Given the Mission's mandate only to facilitate — not carry out — humanitarian assistance, that response may reflect unmet or false expectations regarding its role in the provision of such assistance, or could just indicate the inability of respondents to differentiate between the humanitarian assistance provided by United Nations humanitarian agencies and that facilitated by the Mission.

26. OIOS found that UNMIL has been unique in terms of its integration of humanitarian actors with their political and military counterparts; such actors are often kept separate for reasons of neutrality and security. OIOS learned that the Liberian office of the Office for the Coordination of Humanitarian Affairs was integrated into UNMIL in 2004 through the creation of a Humanitarian Coordination Section/Support Office within the Mission's organizational structure. This was done to facilitate a fully integrated response to the humanitarian situation in the country. OIOS observed that, as a result, the issue of humanitarian space, often problematic in other missions, seems to be of little concern to the United Nations in Liberia.[3] However, OIOS noted from interviews that there remain perceptions that the Liberian office of the Office for the Coordination of Humanitarian Affairs might have been more effective if it had not been fully integrated into UNMIL. OIOS has no basis on which to confirm that perception and encourages the Department of

[3] The need for "humanitarian space" is the stated need of humanitarian organizations to separate their activities from those of political or military actors so as to preserve their neutrality. The purpose of ensuring such space is to avoid politicizing aid and making humanitarian actors seem partial to either side of a conflict.

Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs to undertake a joint study on the effectiveness of its integrated approach.

27. With regard to the promotion of human rights, UNMIL is working with the Government of Liberia to develop a human rights framework and is assisting in the development of crucial State institutions and mechanisms required for the efficient protection of human rights. In addition, the Mission contributes, directly and indirectly, through a range of implementation programmes — for example, by using quick-impact projects to build courts and prisons. A Truth and Reconciliation Commission was launched in 2006 and has been supported by UNMIL through a nationwide multimedia campaign promoting and publicizing the proceedings of the Commission. The Mission has also conducted national awareness-raising campaigns on human rights issues, including sexual and gender-based violence and HIV/AIDS.

28. The population survey examined whether activities in the vicinity of peacekeepers may have improved public awareness of the transitional justice processes and generated demands for such processes; 44 per cent of respondents indicated that they had heard something or a great deal about the national Truth and Reconciliation Commission. The survey also examined attitudes towards gender equality, finding that up to 71 per cent agreed that women should have equal rights and more than 60 per cent agreed that women have the right to hold public office.

29. The staff survey data indicated that a vast majority of staff consider the Mission's support for human rights activities to be satisfactory or better, with only 6 per cent regarding it as poor or very poor. Nonetheless, the data indicated a much greater degree of dissatisfaction among staff working within sections, such as Legal Affairs, more directly related to important areas involving human rights issues. In addition, staff interviews indicated that delays in recruiting UNMIL staff have affected the Mission's ability to support the promotion and protection of human rights. Other factors, external to the Mission, include the continuing delay in the launch of the Independent National Commission on Human Rights.

D. Support for security sector reform

4 (a). UNMIL faces serious challenges in its support for security sector reform

30. The security sector reform mandate of UNMIL includes two components: assisting the Government of Liberia in monitoring and restructuring the Liberian National Police, and assisting the Government in forming a new and restructured Armed Forces of Liberia. OIOS noted that some progress has been achieved in restructuring the Liberian security forces since the deployment of UNMIL, particularly in the vetting and training of 3,500 police and 2,000 military troops. Nonetheless, analysis carried out by the United Nations and independent actors assessed the police as having remained largely ineffectual. According to the staff survey, the implementation of the security sector reform mandate was considered to be least satisfactory by 67 per cent of respondents. When asked about the likelihood of the mandated areas being fully implemented shortly after the 2011 elections, staff expressed the least confidence that the security sector reform mandate would be fulfilled, with 25 per cent of respondents indicating that it was as unlikely or highly unlikely.

31. In interviews with senior UNMIL staff, OIOS found that the Mission's role in supporting the Armed Forces of Liberia has not been clearly defined. Accordingly, the Mission's input to the development of the Armed Forces of Liberia has remained limited. OIOS noted that, given its current structure, the Armed Forces of Liberia will not be able to act as — nor was it intended to be — a replacement for the Mission. It remains uncertain whether the Liberian security sector will be able to sustain security once UNMIL has withdrawn. Furthermore, OIOS took note of the assessment carried out in the context of the 2007 report of the RAND Corporation entitled "Making Liberia safe: transformation of the national security sector", which informed the draft national security strategy currently under consideration. As indicated in that assessment, the Liberian National Police and the Armed Forces of Liberia may prove inadequate to satisfy the security needs of Liberia. The report calls for an evaluation of the country's security environment and its concept of how to address the challenges. A proper security assessment needs to be undertaken by UNMIL, in conjunction with ECOWAS and the Government of Liberia, before an exit strategy for the Mission can be fully developed. The assessment should include an evaluation of potential threats to the country's security so that appropriate and risk-aware decisions can be made regarding how and when UNMIL will withdraw and what security institutions will replace it.

32. Notable Mission achievements under the Liberian National Police mandate have included the restoration of the National Police Training Academy, facilitated by UNMIL through the partnership and bilateral support of several donors; UNDP projects with the Liberian National Police and United Nations police; and the subsequent basic training provided to 3,500 Liberian National Police officers, which was completed on schedule in 2007. Another important achievement has been the successful training of 1,800 Liberian National Police officers by the time of the 2005 elections. From a police perspective, the development of the Liberian National Police is on track, but the slow pace of the progress being made in other pillars, such as corrections, immigration and the judiciary, is negatively affecting the work of the Liberian police. Nonetheless, OIOS noted the substantial achievement accomplished by UNMIL and the Government of Liberia in having developed a Liberian National Police strategic plan outlining a road map and partnership needs, which has attracted the positive attention of donors.

33. OIOS found that the deficiencies affecting the Liberian National Police are also partly a consequence of shortcomings in the training and mentoring provided by UNMIL. The Mission currently provides guidance and specialized training at the Academy in such areas as investigations, collecting evidence, forensics, strategic planning and management. While OIOS noted that the number and the composition of United Nations police staff are sufficient to provide basic training to the Liberian National Police, the Mission lacks many of the specialized advisory capacities needed to appropriately provide the specialized training required in the current, advanced stages of Liberian National Police development. The majority of stakeholders interviewed on the subject stated that they considered it important that the Department of Peacekeeping Operations increase its collaboration with police-contributing countries to make such capacities available to UNMIL. That finding is supported by an independent review. In addition to specialist police, necessary requirements include civilian advisory capacity, currently lacking in such areas as logistical support management, accountancy and audit, to support the operationalization of the Liberian National Police.

34. OIOS noted that the Liberian National Police lacks a functional leadership training system. UNMIL has been able to provide two management courses for officers at the senior and middle levels, and two additional courses have been provided by Member States. However, 50 per cent of the 115 senior officers have not attended a senior management course, and approximately 65 per cent of middle managers have not attended a middle-management course. OIOS has been informed that, while attention has been focused mainly on training the target number of 3,500 general and specialized officers of the Liberian National Police, the focus should now shift to the qualitative aspects of the training, including command and control structures that will ensure a better-functioning force.

35. OIOS has learned from interviews that the United Nations police advisory system could be improved and that senior advisers are not available for all Liberian National Police senior staff key positions. From interviews with experienced United Nations police officers, the Office has concluded that it would be useful to appoint United Nations police senior advisers for at least the deputy commissioners for operations, crime services and administration and the chief of staff. Senior advisory teams are also needed for other Liberian National Police senior officers in key positions in such areas as personnel, budgeting, maintenance, operational planning, investigations and intelligence. It is important that the United Nations police try to adopt a new structure, similar to that of the Liberian National Police, to ensure the availability of such an advisory capacity, and that the new structure be reflected in the standard operating procedures for wider adaptation.

36. *The Department of Peacekeeping Operations commented that, despite numerous appeals, police-contributing countries have not provided the experienced senior police personnel required in many identified priority areas.*

4 (b). UNMIL lacks an overarching strategic framework for the coordination of security sector reform

37. There is no overarching strategic framework for security sector reform in Liberia, nor is there an integrated plan for the various mission components that are separately addressing areas of such reform. The ability of the Government to sustain the peace and stability that has been created by the presence of UNMIL will depend greatly on progress related to reform of the security sector and the confidence of the local population in the ability of the police and the judiciary to enforce the rule of law. Serious concern was expressed to OIOS, both in interviews and during the staff survey, that efforts in this area have not had sufficient effect to permit sustainability in the long run.

38. *UNMIL commented that its goal is not an overarching framework, rather, it is aiming for targeted, coordinated strategies with clearly defined linkages as exemplified at the Partners Forum held in September 2009.*

39. OIOS found that, while UNMIL, other United Nations entities and Member States have sought to address separately most of the components related to security sector reform, no comprehensive strategy links those reform efforts in the areas of defence and the police or in the areas of the judiciary and corrections.

40. The lack of an overarching strategy is evident in the efforts undertaken by various actors outside and within UNMIL. The Legal and Judicial System Support Division, the corrections and prison advisory services, and the Police Commissioner

report to the Deputy Special Representative of the Secretary-General for Rule of Law and address reform of the judiciary, reform of the corrections institutions and reform of the Liberian National Police, respectively. The Civil Affairs Section reports to the Deputy Special Representative of the Secretary-General for Recovery and Governance and works to build capacity and to consolidate the State institutions, such as the Bureau of Corrections and Rehabilitation and the Bureau of Immigration and Naturalization, that are responsible for overseeing the security institutions. OIOS learned that, while those components of the Mission collaborate on certain issues, their work is not adequately integrated.

41. OIOS noted a greater focus on and the early prioritization of reform of the police and armed forces. While other aspects of security sector reform have been factored into planning, wide discrepancies in terms of emphasis and outcome remain. For example, the police captured suspected criminals at a faster rate than the judicial and corrections institutions could manage, resulting in overcrowded prisons and failure to meet human rights requirements, including the right to a timely trial. Without an overarching strategy, UNMIL cannot present a thorough security sector reform plan that both attracts and helps to coordinate donor support for all relevant areas of such reform. The Mission's transition and exit strategies depend on Liberia being able to provide for its own security.

42. *With regard to the aforementioned issue, UNMIL commented that, while early donor prioritization is not forthcoming in all areas, the Mission has always identified the interlinkages among all components. In the case of the rule of law, there is no simple, direct causality between results and early prioritization or between lack of results and lack of early prioritization, and the challenges faced in the area of the rule of law are complex, involving many stakeholders. While agreeing with the Mission's comments, the Department of Peacekeeping Operations noted that the point made by OIOS is valid.*

43. OIOS concludes that it is important that UNMIL develop an integrated strategy for the coordination of security sector reform in Liberia. Such a strategy should include, in particular, the areas of defence, the police, the judiciary and corrections. Devising such a strategy will require the engagement of all partners involved in those areas. Furthermore, data collected during the present evaluation and similar evaluations conducted by OIOS support the finding that the lack of a coherent security sector reform strategy is a problem not only in the case of UNMIL, but in many missions, and should be addressed at both the field and headquarters levels.[4]

E. Support for the implementation of the peace process

5. UNMIL has contributed effectively to the implementation of the peace process, but significant challenges remain

44. The peace process mandate comprises several elements, including helping the Government of Liberia to re-establish national authority throughout the country and developing a strategy for the consolidation of national institutions. The mandate also includes assisting the Government in restoring the proper management of natural resources. OIOS found that, in general, progress in consolidating State authority

[4] A similar lack of an integrated and overarching strategy for security sector reform is noted in the programme evaluation of the United Nations Operation in Côte d'Ivoire (A/63/713).

throughout Liberia has been slow and is hampered by challenges pre-dating the conflict, as well as by the limited operational capacity of the Government owing to the need to rebuild the State apparatus. The Mission's mandate to support the peace process received a favourable rating in the staff survey; there is high confidence among staff that the mandate will be fulfilled soon after the 2011 elections.

45. UNMIL has taken a range of measures to aid in the establishment of national authority and functional administrative structures throughout the country. Much of this work has been aimed at improving the visibility and presence of the Government at the local level. Examples include using quick-impact project funds to construct local bank payment centres so as to ensure the regular and timely payment of salaries to civil servants in the counties; providing logistical support, including by transporting Government officials and civil servants to their respective duty stations in the counties; and quick-impact projects aimed at rehabilitating public facilities and repairing roads and bridges.

46. The county support teams, a joint undertaking of UNMIL and the United Nations country team, bring together the entire United Nations presence in Liberia, other international partners and local authorities to facilitate community recovery and development in accordance with national priorities. In addition to serving as a coordination mechanism, the county support teams are provided with funds for projects, covering infrastructure, training and information management, that are administered by UNDP and implemented by the Mission. Both interview data and a joint study by the Department of Peacekeeping Operations and UNDP suggest that the county support teams have been an instrumental tool in supporting integrated approaches and coherent coordination. The success of the teams is now considered a best practice within the Department and the Programme. OIOS regards the establishment of the joint teams as an important and innovative tool in attaining the objectives of the mandate.

47. As regards the mandate to develop a strategy for the consolidation of national institutions, including a legal framework and judicial and correctional institutions, OIOS acknowledges the assistance provided by UNMIL, but also recognizes the limitations of the outcomes achieved. Interviews with Mission stakeholders and partners confirm that UNMIL has made good efforts in implementing the mandate, in an advisory capacity. These include, inter alia, monitoring, reporting on and evaluating judicial and corrections procedures nationwide and preparing analytical reports disseminated to national partners and donors.

48. During interviews, United Nations staff acknowledged that, on the whole, UNMIL has met considerable challenges in strengthening the rule-of-law sector. Data reviewed by OIOS show that, while indicators of achievement concern mainly tangibles such as the rehabilitation of prisons, the reopening of courts and the mentoring and training of corrections staff, work at the institutional level has been very slow.

49. The mandate of UNMIL includes playing a supporting role in the Government's efforts to restore the proper management of natural resources. After reviewing documents and information collected during interviews, OIOS concluded that UNMIL has fulfilled its mandate in the past by carrying out site visits to investigate, monitor and report on compliance with sanctions regulating the management of natural resources. The Mission has also provided advice and technical assistance regarding international environmental standards, the

management of natural resources and the development of a national regulatory framework for the utilization and protection of such resources, including timber, rubber and diamonds. A positive assessment of the assistance provided by UNMIL is confirmed by the lifting of the sanctions related to diamonds and timber and the introduction of the Kimberley Process in Liberia.

F. Assisting the Government of Liberia with the 2011 elections

6. The Mission's support for the 2005 presidential elections was considered essential, and lessons learned there will be important in terms of its support for the 2011 elections

50. Under Security Council resolution 1885 (2009), UNMIL is also mandated with assisting the Government with the 2011 general presidential and legislative elections. OIOS noted that the conduct of the 2005 presidential elections was an essential component in consolidating the peace process in Liberia. The Mission collaborated with the Transitional National Government and international agencies in preparing for voter registration and an election action plan, conducting public information and awareness-raising campaigns aimed at increasing women's participation, training election staff and managing logistical and administrative issues, as well as planning and coordinating security measures. The population survey indicated that the outcome of those activities was positive: 74 per cent of respondents stated that they perceived the elections as having been free and fair. The elections were held within the established time frame and were conducted in a secure, non-violent environment. The success of the elections is further confirmed by an independent assessment. The support provided by UNMIL, in particular its logistical support for the elections, was considered crucial.

51. With regard to the upcoming elections, the Mission's mandate is limited to providing logistical support to the National Elections Commission to cover gaps in national capacities. It is important that UNMIL be mindful of the 2005 experience when assisting the Commission. OIOS found that there is little institutional awareness within UNMIL of documented lessons learned from the 2005 elections. In addition to more recent lessons reported in relation to the 2009 bi-elections, older lessons such as those detailed in the UNMIL Force headquarters report on the Liberian elections could assist in informing 2011 strategies.

52. *Concerning elections, UNMIL commented that its support was not limited entirely to logistics. Security Council resolution 1885 (2009) authorizes the Mission to assist the Government of Liberia with the 2011 general presidential and legislative elections, by providing logistical support, particularly to facilitate access to remote areas, coordinating international electoral assistance, and supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections.*

G. Cross-cutting areas — gender and public information

7. UNMIL has had some success in mainstreaming gender issues into its operations, but sexual exploitation and abuse remains a problem

53. In interviews, UNMIL staff expressed the view that progress has been made in integrating gender into the Mission's agenda and tasks, which is specifically mentioned in its mandate. That opinion is supported by documentation and the results of the staff survey. With regard to gender mainstreaming, 97 per cent of staff felt that at least some degree of it was occurring within the Mission. UNMIL has developed an action plan for the implementation of Security Council resolution 1325 (2000), on women and peace and security. OIOS learned that the Office of the Gender Adviser is playing an active role in raising the awareness of Mission staff about the importance of gender.[5] However, views expressed within UNMIL, as well as external assessments, suggest that the Office faces difficulties in mainstreaming gender-awareness approaches at the section level, where relevant issues arise. There is a tendency on the part of sections to leave gender issues for the Office of the Gender Adviser to address, rather than taking on such work by themselves. This suggests a lack of understanding within the Mission, particularly at the lower operational levels, regarding the role of the Office and the importance of gender mainstreaming.

54. In view of the Organization's zero-tolerance policy concerning sexual exploitation and abuse, OIOS noted that cases involving sexual exploitation and abuse present an ongoing challenge within UNMIL. In other respects a mission well received by the local population, as indicated by the population survey, UNMIL continues to have such cases. According to statistics of both the OIOS Investigations Division and the Headquarters Conduct and Discipline Unit, the Mission is now second only to the United Nations Organization Mission in the Democratic Republic of the Congo in terms of both number of allegations involving sexual exploitation and abuse and number of such allegations involving minors.[6] However, only 2.7 per cent of respondents to the staff survey indicated that sexual exploitation and abuse was a major challenge for UNMIL, and only 1.2 per cent identified ending sexual exploitation and abuse as the change needed.[7] Like other missions, UNMIL has a Conduct and Discipline Team working on issues in this area. Since 2007, the Team has employed a female consultant to raise the awareness of communities near UNMIL deployments regarding acts of sexual exploitation and abuse and appropriate reporting channels. In the light of the increased number of reports concerning violations involving sexual exploitation and abuse, the effort appears to have been successful in addressing the underreporting of such cases that had previously been prevalent.

[5] See multi-donor review of the implementation of Security Council resolution 1325 (2000) by the United Nations missions in the Democratic Republic of the Congo, Liberia, Sierra Leone and Kosovo.

[6] See http://cdu.unlb.org/Statistics/OverviewofStatistics.aspx.

[7] See S/2007/479 and S/2006/743.

8. UNMIL has an effective public information programme, including in particular its public radio programme

55. On the basis of interviews with stakeholders and partners, as well as the results of the population survey, OIOS also concluded that UNMIL is effective in the area of public information, promoting an understanding of the peace process and of its mandate among the political parties and the general population. In particular, UNMIL radio was referred to positively in both interviews and surveys, although a few respondents to the staff survey stated that the Mission needed to further advertise its efforts to the local population. UNMIL radio had a wide listening audience among the respondents to the population survey. Approximately three quarters of respondents indicated that they had listened to it, with 89 per cent of these stating that they did so every day or a few times a week (the percentage was split relatively evenly between the two responses). The results of the population survey showed similar positive attitudes towards the Mission's role in the peace process, regardless of whether respondents belonged to a community that had received an UNMIL deployment, and regardless of their proximity to the Mission.

H. Integrated strategic planning

9. The Mission's integrated strategic planning approach facilitates coherent action, and effective strategic partnership, with the United Nations country team towards mandate implementation

56. The first overarching strategic framework of UNMIL was the integrated mission priorities and implementation plan, formulated in 2006. The United Nations country team was extensively consulted in the development of the plan, which included an inventory of country team activities, but its substantive participation was limited, and it had no implementation role. OIOS noted that most of the Mission's planning in this regard was undertaken section by section. The plan was developed from the bottom up, with the section workplans compiled into a loose, overarching framework. The extent of the country team's involvement in drafting the workplans varied from section to section. The plan became the cornerstone of the Mission's implementation of the integrated mission planning process. The new Government of Liberia, installed early in 2006, had begun to draft an interim poverty reduction strategy, and the plan was aligned with the priorities set out in the strategy.

57. Interviews indicate that integrated strategic planning between UNMIL and the United Nations country team remained fairly limited between 2003 and 2005. By the time of the development of the 2008-2012 United Nations Development Assistance Framework (UNDAF), this had changed, and the endeavour was undertaken jointly, with participation by the country team, the Government of Liberia and UNMIL. The plan remained in place until 2008, when it was largely replaced by the Framework.

58. The United Nations Development Assistance Framework is the integrated strategic framework currently used by the entire United Nations presence in Liberia. It was devised as a formal United Nations response to the priorities outlined by the Government of Liberia in the interim and is fully aligned with the Government's poverty reduction strategy. It focuses on how the United Nations in Liberia is to support national recovery and development until 2012, and its outcome areas

correspond to the five pillars (peace and security, economic revitalization, governance and the rule of law, infrastructure and social services and HIV and AIDS) and the time frame of the strategy. In order to facilitate the achievement of each outcome set out in the Framework, Outcome Groups — representing United Nations country team agencies and UNMIL sections — have been formed at the working level.

59. During the course of the evaluation, the Department of Peacekeeping Operations developed integrated mission planning process guidelines for the role of United Nations field presences in integrated planning.[8] The guidelines provide advice on integrated strategic planning for United Nations field presences that include both a peacekeeping mission or political office and a country team. OIOS found that the United Nations in Liberia already has the integrated field coordination structures urged in the guidelines and that Liberia is cited as a model in the guidelines. The Office noted that the UNMIL model — specifically, its establishment of a Strategic Planning Group chaired by the Special Representative of the Secretary-General and consisting of mission leadership, most section chiefs and heads of the country team, instead of the working-level integrated mission planning team called for in the 2006 guidelines — is considered a best practice and contributed to the improvements made in the 2009 guidelines.

60. Under the new guidelines, the Department of Peacekeeping Operations has made efforts to move beyond the limited integrated mission plans to request integrated strategic frameworks, which include country team activities, in order to promote what it calls "strategic partnerships". Having reviewed the United Nations Development Assistance Framework as well as the recommendations concerning the integrated strategic frameworks, OIOS noted that the Liberia Framework fulfils the purpose of the strategic frameworks in bringing together the United Nations in Liberia around a set of agreed priorities aligned with the priorities of the Government of Liberia, ensuring Liberian ownership of United Nations efforts. Interviews with UNMIL as well as its partners confirmed the assessment by the Office that the Liberia Framework is an integrated strategic plan based on a shared view of effective partnership among various United Nations entities, with none of them taking precedence over another. OIOS noted that the Framework serves as a clear, effective link between security and development, as well as between peacekeeping and peacebuilding.

61. *The Department of Peacekeeping Operations has informed OIOS that the integrated mission task force for Liberia formally endorsed the United Nations Development Assistance Framework as the integrated strategic framework in Liberia on 29 January 2010.*

62. OIOS found that UNMIL deviates from the recommendations of the integrated mission planning process in that it lacks an officially dedicated civilian planning capacity. The United Nations country team has dedicated strategic planning staff in the Integrated Office of the Resident Coordinator, and unofficial planning capacities within the Office of the Special Representative of the Secretary-General have worked with the Integrated Office on planning issues. Both the Department of Peacekeeping Operations and the Mission have pointed out that the appointment of

[8] The guidelines have been submitted for endorsement. Once endorsed and agreed upon by senior managers of the Department, they will be distributed to the field.

dedicated UNMIL planning capacities might be required in order to manage the Mission's transition phase.

I. Coordination and integration in programme implementation

10. UNMIL is a good example of the integrated missions concept and has, together with the United Nations country team, gone far in achieving a "One United Nations" approach

63. The majority of the stakeholders and partners of UNMIL, and of the United Nations in Liberia as a whole, have commended the Mission and the United Nations country team for the progress made in working together for greater effectiveness in Liberia. OIOS found that, in addition to integration having been achieved through formal planning, a range of mechanisms have been applied to facilitate joint action and implementation. Many of these are considered innovative and may be adaptable for application elsewhere. Specific achievements include the implementation of the integrated mission concept at the field level through the integration of the functions of the Resident/Humanitarian Coordinator with those of the Deputy Special Representative of the Secretary-General, as well as the development of an integrated field coordination structure regarded by many as highly effective and perceived to be a ground-breaking model for joint approaches at various levels.

64. The structure includes regular senior-level meetings, such as the biweekly meetings of the Strategic Planning Group and the Security Management Team; joint United Nations Development Assistance Framework Outcome Groups, aligned with the pillars of the Framework; and thematic and functional groups for joint efforts in such areas as gender and public information. In addition, the United Nations in Liberia has adopted a unique field-office structure that includes both the aforementioned county support teams and the establishment of joint United Nations offices at two locations, in Lofa and Grand Gedeh counties. Furthermore, the United Nations in Liberia is undertaking a range of joint programmes, for example, vaccination campaigns and campaigns against sexual exploitation and abuse.

65. OIOS found that all of these structures and functions are bolstered by a mindset shared among staff, prevalent in both UNMIL and the United Nations country team, that supports working together. Throughout interviews, this was commonly attributed to a general understanding of the security-development nexus and the relationship between peacebuilding and peacekeeping, facilitated by the leadership of the current and the previous special representatives, as well as by the Deputy Special Representative/Resident Coordinator function.

66. While a system has been put in place whereby UNMIL supplies fuel to the entire United Nations presence and each agency registers and pays for its own fuel use, the same cannot be done for vehicle spare parts, for example, owing to the variety of vehicles used across the United Nations system. Similarly, the Mission provides Internet access to the entire joint offices structure, but the various agencies rely on different types of Internet and e-mail systems, which sometimes impedes access to information. A case in point is the web application for the integrated mission priorities and implementation plan. The plan had been intended to be placed on the web so that it could be edited by implementing partners as work progressed. The web application was never launched, owing to technical difficulties, one of

which was the inability of country team programme managers to gain access to the UNMIL server. Thus, harmonizing the use of resources is still in the nascent stages. The problems arising with regard to who should pay for the cleaning of a joint office is a simple but good example.

J. Exit strategy planning

11. UNMIL has clear, specific benchmarks measuring the progress of the Mission and pacing its exit strategy

67. UNMIL has developed consolidation, drawdown and withdrawal benchmarks as an important part of its strategic planning. The benchmarks were developed for the Mission's consolidation phase (2006-2007) and its drawdown phase (2008-2011). OIOS noted that the development of the consolidation, drawdown and withdrawal benchmarks is an essential part of the Mission's exit strategy. The benchmarks have been linked to the guidelines for the integrated mission priorities and implementation plan and the integrated mission planning process, and they are also aligned with the more recently developed "capstone doctrine", set out in the 2008 document of the Department of Peacekeeping Operations and the Department of Field Support entitled "United Nations peacekeeping operations: principles and guidelines". The consolidation, drawdown and withdrawal benchmarks have continued to build on local ownership, facilitating the integrated assessment of Mission progress on the basis of the Government's four-pillar strategy. The benchmarks have been shared with both the Government of Liberia and the Security Council to aid in the assessment of Liberia's progress. Dividing the benchmarks into "core" (security-related) and "contextual" benchmarks, the consolidation, drawdown and withdrawal framework not only guides the Council with regard to the security-related achievements of UNMIL, but also provides linkages between the Mission's mandate and longer-term peacebuilding. The framework reflects the Mission's transition from peacekeeping to peacebuilding, taking into account the capacities of Government institutions, and is thus a critical tool in advancing transition planning. Recently, a "stop-light" reporting format was developed to assist in monitoring progress on and revising the consolidation, drawdown and withdrawal framework. OIOS found it to be a useful format for UNMIL that might serve other missions in planning their exit strategies.

V. Conclusions

68. OIOS concludes that UNMIL has achieved substantial progress in implementing its mandate, but weak implementation of reform in the security sector poses a risk to sustained peace and security in Liberia. The Mission's effective support for the ceasefire, including disarmament, demobilization, reintegration and repatriation, has contributed to the implementation of not only the Security Council mandate, leading to the successful 2005 elections, but also the mandates of other United Nations actors in Liberia. The presence of UNMIL has helped to create an enabling security environment in which a range of peacebuilding activities carried out by UNMIL and other actors have been possible. Nonetheless, a number of serious challenges remain before the mandate can be regarded as having been

completed. There are still large gaps in the implementation of reform of the national police and in the consolidation of rule-of-law institutions.

69. The capacity of Liberian institutions to cope with residual drivers of conflict is still not strong enough to permit a withdrawal of the Mission without risking a relapse into conflict. In particular, further progress in security sector reform is needed to ensure that an exploitable security vacuum will not be created before the Mission withdraws. In general, the lack of a comprehensive and overarching strategy on the part of UNMIL and other partners for the implementation of such reform has contributed to slow progress in this area.

70. *UNMIL commented that it places great emphasis on coordinated, comprehensive security sector reform in Liberia. The Mission also drew the attention of OIOS to paragraph 26 of the special report of the Secretary-General on UNMIL (S/2009/299) dated 10 June 2009, "At the Mission's request, the United Kingdom agreed to fund a security sector reform adviser to my Special Representative for Liberia, Ellen Margrethe Løj. However, that assistance will expire in October 2009. In view of the need to continue to pursue a comprehensive approach to security sector reform, the Mission recommended that all options be considered with a view to the retention of that post in UNMIL." The Department of Peacekeeping Operations agreed with the Mission's comments and observed that it has consistently advocated dedicated security sector reform in UNMIL, which would, inter alia, focus the attention of all actors on that area, including the specific issues and gaps identified in the present report.*

71. OIOS also concludes that, even though there remain challenges to the implementation of its mandate, UNMIL has adopted an innovative attitude towards working with the United Nations country team that has enabled the Mission to have greater impact in Liberia. In addition, collaboration seems to have bolstered the efficiency and effectiveness of the entire United Nations presence in Liberia in delivering on its mandates. In many ways, UNMIL has set a precedent for other missions in working together with the country team. In general, OIOS found UNMIL to have been inventive in working towards a "One United Nations" approach.

VI. Recommendations

72. On the basis of the evaluation findings set out in the present report, OIOS makes the following 12 recommendations.

Recommendation 1

73. The Department of Peacekeeping Operations should consider conducting a more in-depth examination of the consequences and outcomes of the closure of the Liberian office of the Office for the Coordination of Humanitarian Affairs vis-à-vis the effective delivery of humanitarian assistance in Liberia since 2004, in order to identify best practices and lessons learned that can inform future missions. The Department may also consider undertaking such an examination jointly with the Office for the Coordination of Humanitarian Affairs (see para. 26).

74. *The Department of Peacekeeping Operations commented that it does not agree that the implementation of the aforementioned recommendation would have added*

value, particularly since several such reviews were conducted by the Office for the Coordination of Humanitarian Affairs and independent institutions shortly after the closure of the Liberian office. The Department added that, in its view, should the recommendation remain, the Office for the Coordination of Humanitarian Affairs should lead the assessment.

75. In the light of the recent experience in the United Nations Stabilization Mission in Haiti, OIOS maintains that a joint evaluation should be conducted by the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs.

Recommendation 2

76. UNMIL, in conjunction with ECOWAS and the Government of Liberia, should carry out a security threat assessment, followed by a needs assessment and the development of a strategy for addressing these needs, to be used as the basis for an informed exit strategy that will prevent the creation of a security vacuum after the Mission has been downsized (see para. 31).

Recommendation 3

77. The Department of Peacekeeping Operations should strengthen the Mission's United Nations police capacity by making available advanced and specialized police capacities in such areas as forensics, strategic planning and management, together with civilian capacities in such areas as logistical support management, accountancy and audit, to enable the Mission to fulfil its United Nations police mandate (see para. 33).

78. *The Department of Peacekeeping Operations agreed with the aforementioned recommendation, while noting that this is a challenge for all peacekeeping missions. Furthermore, in December 2009 the Department's Police Division sent a letter to all UNMIL police-contributing countries specifying the specific skill set required for the Mission, and also raised the level of the minimum selection criteria.*

Recommendation 4

79. UNMIL should strengthen its delivery of training to the Liberian National Police by shifting the main focus from training patrol officers to training officers in middle and senior management, in order to ensure a better-functioning force. Greater attention should be paid to the qualitative aspects of the training, including management issues (see para. 34).

80. *The Department of Peacekeeping Operations agreed with the aforementioned recommendation, while noting that the Inspector General of the Liberian National Police is trying to put in place measures to address the fact that many police managers (political appointees) have not been properly trained. Managerial courses are provided at the National Police Training Academy, and bilateral partners, including the United Kingdom of Great Britain and Northern Ireland, France and Sweden, have also provided training courses for mid- and senior-level officers.*

Recommendation 5

81. UNMIL should consider reorganizing its United Nations police and revising its standard operating procedures so that most units are restructured to play advisory

roles with regard to the Liberian National Police. UNMIL should ensure that the structure of its United Nations police corresponds to that of Liberian National Police senior management, so that appropriate advisory roles can be ensured and high-level United Nations police officers can be assigned to advise relevant deputy police commissioners and senior officers of the Liberian National Police (see para. 35).

82. *The Department of Peacekeeping Operations noted that the aforementioned recommendation has already been implemented, as the revised concept of operations for the United Nations police is near finalization.*

Recommendation 6

83. UNMIL, in close consultation with the United Nations country team, Member States and the Government of Liberia, should consider developing an overarching strategy for security sector reform that links in particular reform of the defence sector with that of the national police and of the judicial and corrections systems. Such a strategy should take into account the Mission's drawdown phase, addressing reform components that will be managed both before and after the Mission withdraws (see para. 43).

84. *The Department of Peacekeeping Operations agreed with the aforementioned recommendation, but noted that the present report does not reflect the fact that the Government of Liberia stopped the recruitment of corrections personnel after the first two courses, owing to a lack of sufficient resources to pay salaries. The report also makes no mention of the efforts made thus far in the area of corrections, such as the Peacebuilding Fund projects under way and the project proposal developed with a view to building infrastructure and capacity. In addition, it does not mention the strategic plan for the corrections sector that has been developed and approved by the Government.*

Recommendation 7

85. The Department of Peacekeeping Operations should, where applicable and appropriate, consider employing in peacekeeping and peacebuilding missions variations on the model of the county support team as utilized in Liberia. Given the uniqueness of each situation, the Liberian model can be shared with mission leaders in other countries, who can decide whether the use of a similar structure would be appropriate (see para. 46).

Recommendation 8

86. UNMIL should intensify political dialogue with the Government of Liberia with a view to developing strategies for accelerating national legal reform and implementing the strategic plans for the rule-of-law sector (see para. 47).

Recommendation 9

87. UNMIL should ensure the adoption of adequate strategies in helping the National Elections Commission to prepare for the upcoming elections in the areas of advance logistical planning and establishing proper procedures and rehearsals, including by drawing on lessons learned from past electoral practices (see para. 51).

Recommendation 10

88. The United Nations in Liberia should consider adapting the United Nations Development Assistance Framework in the light of the new requirements of the Department of Peacekeeping Operations, so that it can be adopted as the Mission's functional integrated strategic frameworks. Throughout such a process, UNMIL should ensure that its strategic partnership with the country team remains fair and strong (see para. 60).

89. *The Department of Peacekeeping Operations commented that the aforementioned recommendation was implemented and endorsed by all United Nations agencies participating in the integrated mission task force for Liberia, on 29 January 2010.*

Recommendation 11

90. In line with Department of Peacekeeping Operations guidelines, UNMIL should appoint dedicated civilian planning capacities to facilitate its exit and transition phases. To that end, the Special Representative of the Secretary-General for Liberia may consider establishing an integrated analytical and planning team by integrating the planning capacity of UNMIL with that of the United Nations country team (see para. 62).

Recommendation 12

91. The Department of Peacekeeping Operations and the Department of Field Support should work in collaboration with various United Nations agencies, funds and programmes to overcome the administrative challenges identified within missions as hampering true integration in the field (see para. 66).

(*Signed*) Inga-Britt Ahlenius
Under-Secretary-General for Internal Oversight Services

16 March 2010

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Letter dated 8 March 2010 from the Permanent Representative of Mexico to the United Nations addressed to the President of the General Assembly

I have the honour to transmit herewith the Declaration of Solidarity with Ecuador, which was adopted at the first Latin American and Caribbean Unity Summit, held in the Mayan Riviera, Mexico, on 22 and 23 February 2010 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 104.

(Signed) Claude **Heller**
Permanent Representative

10-28556 (E) 290310

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Annex to the letter dated 8 March 2010 from the Permanent Representative of Mexico to the United Nations addressed to the President of the General Assembly

Declaration of Solidarity with Ecuador

[Original: English and Spanish]

The President of Ecuador informed the Heads of State and Government at the Unity Summit of Latin America and the Caribbean that the Financial Action Task Force (FATF) decided, on 18 February 2010, to include Ecuador on a list of countries with strategic shortcomings in measures to combat money-laundering and the funding of terrorism that have not committed to develop, in conjunction with FATF and GAFISUD, an action plan to overcome those deficiencies.

President Rafael Correa indicated that it was the state policy of Ecuador not to tolerate illicit financial activities, in accordance with its domestic law and with the various international conventions that have been adopted under the aegis of the United Nations and to which Ecuador is a party.

President Rafael Correa categorically rejected the FATF's action, which was not consistent with the evident efforts and initiatives at all levels that Ecuador has pursued to combat money-laundering and the funding of terrorist activities. He made particular reference to Ecuador's legal provisions and institutional framework and to the actions it had taken in that area.

Based on those statements, the Heads of State and Government at the Unity Summit of Latin America and the Caribbean expressed their grave concern over the FATF's decision regarding Ecuador and expressed their solidarity with that country's dignified and sovereign position.

They also expressed concern over the deficiencies in the FATF procedures, in particular its decision-making processes. In this regard, several countries of the Caribbean Community have been similarly affected by a recent unilateral and premature action taken by an OECD country against them.

The Heads of State and Government at the Unity Summit of Latin America and the Caribbean fully endorse, in their conviction and principles, the fight against money-laundering and the financing of terrorism. They however called for the procedures and processes to take into account in this respect the sovereignty of the States.

Mayan Riviera, Mexico
23 February 2010